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Vol. 26

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CORRIGENDA.

- Page 4, lines 31, 32. Delete words repeated [and causes.]*
- „ 19, *line 9 from bottom, for L. Bourn read S. Bourn.*
- „ 32, *line 23, for W. Spotswood read A. Spotswood.*
- „ 52, *line 21, for Whitney read Whiting.*
- „ 66, *line 11 from bottom, for 43 read 42.*
- „ 66, *last line, for 868 read 898 ; and add French.*
- „ 108, *line 20, for Arpil read April.*
- „ 189, *line 5, from bottom, for pleplexitys read perplexitys.*
- „ 211, *line 18, for Signed read Endorsed.*
- „ 215, *line 5 from bottom, for Barbados read Bermudos.*
- „ 248, *line 29, for 38 read 28.*
- „ 278, *line 33, for future read failure.*
- „ 284, *line 34, for revised read revived.*

PREFACE.

§ 1.

GENERAL.

Many matters of high importance in the sphere of Colonial administration occur in the ensuing pages. The handling of the situation in the Leeward Islands after the murder of Governor Parke ; Col. Cary's rebellion and the Indian rising in North Carolina ; the deadlock created in New Jersey by the opposition in the Council ; the intransigent attitude of the Assembly of New York and the consequently contemplated action by Parliament ; these and other such questions would by themselves render the year under review notable enough. They are overshadowed, however, by two other events of wider and more permanent significance ; the failure of the Expedition against Canada, and the preliminary negotiations for Peace.

The Peace of Utrecht is one of the great landmarks of European History. Few transactions of like moment have given rise to controversy so bitter and so lasting. Whatever may be the merits or demerits of the case for entering upon that much debated Peace at that particular moment, it can hardly be disputed that the two weakest links in the vast and complicated chain of arrangements, territorial and commercial, known as the Treaty of Utrecht, were, from the point of view of the British Empire, those concerned with the Newfoundland Fishery and the French occupation of Cape Breton. "Against these substantial gains," wrote Lord Morley in his life of Walpole, after enumerating the advantages obtained by England, "were undoubtedly to be set the risks of some counterbalancing mischiefs. But the

mischiefs never came to pass." The documents published in this series will show very plainly, on the contrary, that the mischiefs came to pass immediately, were the cause of enormous strife, and continued down to our own day.

Immediately after the signing of the Treaty, its authors were denounced as traitors to their country; and from that time onwards the belief has been widely held that the Cape Breton arrangement was the outcome of bribery. (v. for example, Douglass' *Summary*, 1760, quoted by Senator J. S. McLennan, *Louisbourg from its foundation* p. 1.)

That St. John gave more than he need have given, and took less than he might have taken, can scarcely be denied in view of the military position resulting from Marlborough's victories before the fall of the Whigs. But the suspicion that his concessions were bought is not, I believe, supported by a shred of evidence, and a document published in the present volume is to some extent evidence to the contrary. It fits in with what we know of the negotiations for "Matt's Peace" as revealed by Prior's correspondence with St. John, the recently published *Portland Papers*, and De Torey's accounts of the matter. The document referred to is No. 365. It demonstrates at least two things; first, that St. John acted with his eyes open, and secondly, that in approaching the problem of whether or not he should concede to the French "a general right to fish and to dry their fish in the Sea of Newfoundland and on that coast, as they have hitherto done, together with a liberty of settling and fortifying on the Island of Cape Breton," he acted openly and above-board. This was in April, 1712. It was then a question of bargaining amongst the Plenipotentiaries at Utrecht. The *quid pro quo* offered was that the French should make "an absolute cession of Nova Scotia with Annapolis Royal, and of the Island of Newfoundland with Placentia." It was also suggested "that all the fortifications in Newfoundland should be demolished, and that no others be suffered to be erected there, or in any of the adjacent islands." St. John (No. 365) asked for the opinion of the Board of Trade and

Plantations upon this bargain, and asked for it "as soon as possible, it being necessary to write abroad upon this subject at the end of the week." The answer he received (*No.* 374) was a clear-sighted one, and can have left him in no doubt as to the value of the concessions which were eventually made. If the French retained the privilege of fishing on the Newfoundland coast and drying on the shore, they would have the same advantage in the trade of dry fish as His Majesty's subjects, the Board of Trade declared, "and the good end of our having Newfoundland restored to us would be defeated." As to Cape Breton, that Island had always been esteemed as part of Nova Scotia, and, considering its situation, the permitting the French to fortify and settle there would give them the like advantages as if they were allowed to dry their fish on Newfoundland or the adjacent islands. The Board of Trade concluded by stating the boundaries of Nova Scotia, "which ought to be so described for avoiding future disputes," and representing that the fortifications on Newfoundland ought to be maintained (*No.* 574).

The concessions which were eventually made were at least an error of judgment. But the procedure indicated above is hardly that which would have been pursued by statesmen or Plenipotentiaries about to sell their country.

Preliminary
negotiations.

The negotiations for Peace with France, begun through the agency of the Abbé Gualtier, had been continued by Matthew Prior, an ex-Commissioner of Trade and Plantations, on his secret mission to Fontainebleau in July, 1711. Of the preliminary demands of the British Government which Prior was then commissioned to communicate to the French Court (*P.R.O. Treaty Papers*, 15), those which most nearly concerned the Colonies were that the Asiento (the right of supplying the Spanish Colonies with negro slaves) "should be entirely in the hands of Great Britain; that Newfoundland should be entirely given up to the English; that the trade of Hudson's Bay should continue in the hands of the French and English, as they are now; and that all things in America should continue in the possession of those they should be found to be in at the conclusion of the peace."

Concerning these provisions, attention should be drawn

regarding the first, that in Jamaica, where the Peace was eagerly welcomed (421), there was a demand for the recovery of the Asiento trade, which had previously brought great prosperity to that Island (345). As to the second, there was as yet no reference to fishing rights one way or the other. As to the third, the claims of the Hudson's Bay Company are not yet pressed. Although the depredations committed by the French in those parts had been stated by King William as one of the reasons for the declaration of war, the Treaty of Ryswick had left the Company worse off than they were before it. Before the Plenipotentiaries met at Utrecht the Company once more entered their claim, stating their case and demanding not only reparation for damages but also that the French should surrender all pretention to the Streights and Bay and abandon their settlements there (219 i.). They explained their demands in detail to the Council of Trade (300), who reported in their favour (326).

The last of St. John's "private propositions" involved not only the retention of the French part of St. Christophers, and of Nova Scotia and Annapolis Royal, but also, no doubt it was hoped, the retention of Canada, if the expedition under General Hill should meet with the expected success. The French, on the other hand, might be supposed to look for some compensation if the expedition under Duguay-Trouin against Brazil should prove successful. We once more catch a few glimpses of that expedition in these pages (*pp.* 15, 48, 49).

From other quarters the acquisition of Moville; as well as Montreal and Quebec, was enthusiastically urged (440).

When Prior had brought De Torcy to the necessary stage of agreement over these preliminary demands, the scene of negotiations was transferred to London at the end of July, and still with the utmost secrecy.

By the 17th September agreement had practically been reached. The preliminaries were on the eve of being signed, when the question of the Newfoundland Fishery was again raised. In haste to conclude the Peace, upon which all their hopes depended, Ministers

Peace
Conference
at Utrecht.

decided that the question should be referred to the Congress, but they conceded to the French the right of drying their fish. Thus a sore was left open, which was to prove a source of trouble for two centuries.' Before the end of the year the hand of the Tory Peacemakers was greatly strengthened by the publication of Swift's *Conduct of the Allies*. In December Marlborough was dismissed, and the creation of twelve peers gave to the Ministry the majority required in the Upper Chamber. In January the Plenipotentiaries met at Utrecht. The Council of Trade and Plantations soon called attention to the necessity of fixing the boundaries of Canada (Feb., 1712. Nos. 326, 385). It was in April that St. John consulted them about Cape Breton and the Newfoundland Fishery (365, 373 i., 374), and a fortnight later he conferred with the Board upon the question of the New England Fishery, having himself proposed the attendance of Colonel Nicholson and the New England Merchants interested therein (386). At this time also the whole question of a Treaty of Commerce with France was referred to and considered by the Board of Trade (*v. Journal, and Trade Books*).

The
Expedition
against
Canada and
Newfound-
land.

The advent of the projected expedition against Canada and Newfoundland was hailed with loyal addresses of welcome and gratitude from New York (47), New Jersey (21), Connecticut (93 i.), New Hampshire (40), and Massachusetts (45). The New Yorkers took the opportunity to complain of the burden of defence which they had to bear and the cost of their contribution to the abortive expedition of the preceding year. The quota required of them, was, they maintained, excessive, and they hinted at the superior lot of Proprietary Governments, whither "the little wealth this Plantation possessed and the best and most industrious of its inhabitants were being drained by the ease and indulgence of those Governments" (48, 96). However, the quotas of Colonial troops required for the advance by land upon Montreal were agreed upon by the Congress of Governors assembled at New London (71, 87 i., 95, 96, 97 iii.). Pennsylvania, in the event, failed to contribute a man (95); and Governor Hunter was obliged to complete the

New York contingent by enlisting Indians and some of the German Protestant refugees. The Five Nations, however, impressed by the sight of the Armada at Boston, were induced to send 800 men. By the end of August these troops were on their way to Albany, whence they were to commence their march to Woodcreek, under General Nicholson (46 i., 61 i., 95, 95 ii., 96).

The
Expedition
at Boston.

The Naval and Military forces under Admiral Sir Hovenden Walker and Brigadier General Hill sailed from Plymouth on the 4th of May and arrived at Boston on 24th June. The incidents of the voyage are described (46 i., 61). The troops were disembarked and encamped on Nodles Island (45, 46 i.), whilst the necessary measures were being taken for the assembling of the Colonial contingents, selecting pilots, providing transport for the troops by sea, boats for the land expedition, and transport for the siege-train, as well as collecting fresh provisions from the neighbourhood and salt pork from Maryland and Virginia (46 i., 61, 94 i., 96).

The season was already late, and the arrival of Col. Nicholson, who had been sent ahead from England to prepare the several Governments, had been delayed till June 8th by adverse weather. There had been little time, therefore, for progress to be made with the necessary preparations before the Expedition actually anchored in Nantasket Bay (46, 61, 61 i., 96).

Meantime a French officer, M. La Ronde, had arrived at Boston from Placentia with the ostensible object of proposing a cartel for the exchange of prisoners. He was detained by Governor Dudley in order that he might not carry news of the preparations for the proposed attack upon Canada and Newfoundland. The detention of the French Agent was probably neither unforeseen nor undesired. For he was apparently instructed to make use of his opportunity to dissuade the Colonists from supporting the Expedition. As to tidings of the Expedition, both its objects and its strength were known in France and conveyed to Placentia and Quebec (94 i., 164).

According to the accounts given by Governor Dudley, not only was money voted readily and the quota promptly

supplied by Massachusetts, but everything possible was done to secure an adequate quantity of provisions at a reasonable price, and to obtain all the competent and experienced pilots who could be found in the Province (44 i.-x., 45 i.-x., 164, 164 i., 165, 167). It is evident, however, (from the reports of General Hill and his Quarter Master General, Col. King), that considerable friction arose, and that great dissatisfaction was felt and shown at the delays they experienced and at the attitude of the Colonists both towards deserters and the provision of supplies (46, 46 i., 61, 61 i.). No one, Col. King declared, but a man of General Hill's good sense and good nature could have overcome "the interestedness, ill-nature and sourness of these people, whose Government, doctrine and manners, whose hypocrisy and canting are insupportable." There was nothing for it, he concluded, but to resume their Charters to the Crown, and so settle them all under one Government, "with an entire liberty of conscience" (46). It was just the fear of this result, he was finally led to suppose, which could alone account for the reluctancy and ill-nature of the people, whose object in delaying the Expedition could only be explained by their dread lest the conquest of Canada should lead to the establishment of one uniform Government of America, for the real good of the Colonies but to the loss of those who profited by their disorderly disunion (*p.* 48).

But for the dilatoriness of the Government, the Expedition might have sailed from Boston a fortnight sooner than it did. "But all has been done with indolence and indifference with a thousand scruples and delays" (46). Yet, notwithstanding losses from deserters, enticed away by the Colonists, and the lateness of the season, nothing, thought Col. King, but the difficulty of navigating the St. Lawrence or the arrival of a French force from Europe, could prevent their success (46, *p.* 48). He severely blamed Col. Nicholson, against whom he displays considerable animus, for not forwarding the transports with supplies for New York immediately upon his arrival (46, 46 i., 61, 61 i.). There were delays in delivering the fresh provisions required for the troops, and

a determined effort was made by the New England merchants to exact an exorbitant price through the exchange (61). It was only when continual pressure had been put upon the Assembly that they were induced to take measures to fulfil their promises of support and their duty to their Queen. The details are given in the Journal of the Expedition written by Col. King for Brigadier General Hill (46 i., 61 i.), and the papers sent by Governor Dudley (44 i.-x.)

The disaster
in the St.
Lawrence.

The Expedition sailed from Nantasket harbour on July 30th, with high hopes of success (46 i., 61 i., 73, 87, 92). But a fatal blunder had already been committed.

The Colonial troops which accompanied General Hill were placed under the command of Col. Vetch, the original author of the scheme. After they had sailed, and before the fatal event, he wrote to St. John the following ominous warning :—" The getting up (*to Quebec*) by reason of the difficulty of the navigation I looke upon to be the difficultest part of the enterprise, being myself if not the only att least the best pilot upon the Expedition, although none of my province " (71). Yet, in the face of the well-known difficulty of navigating the St. Lawrence, and of the shortage of good pilots, Admiral Sir Hovenden Walker appears to have acted with almost incredible improvidence. Capt. Cyprian Southack, Commander of the Massachusetts *Province* galley, was well known as one of the most experienced and competent sailors in those parts. He had been particularly mentioned in the Instructions as a suitable pilot for the Expedition (164 i.). Yet, on the eve of sailing, he was dispatched to Annapolis Royal to pick up some artillery stores and marines from the Garrison there, which had already been sent for once, but which the Deputy Governor, Sir Charles Hobby, declared that he could not spare (46 i., 61). Nor was this all. The Admiral had brought with him from England a French pilot, whom Col. Vetch, after some experience, took occasion to warn him was both ignorant and a rogue (175, 175 i., ii., v.). Vetch was at first invited to show the way to the Fleet himself, with small vessels. But as he refused to go on board the *Saphire* frigate for this purpose, he was

presently ignored. If that plan had been adhered to, he declares, the disaster could not have happened. As it was, he followed the Flag at a discreet distance, watching her course with surprise and foreboding (175 v.). We have several accounts of the catastrophe which ensued (92, 92 i.-iii., 94, 94 i., ii., 98, 175 v.). For Fate, so tempted, exacted the penalty to the full. On the night of the 22nd of August in a stiff gale nine transports were dashed to pieces on the north bank of the St. Lawrence, and the whole Fleet was within an ace of being involved in a similar fate among the shoals off the Isle aux Oeufs. 742 lives were lost, including 35 women. On the two following days the shattered remains of twenty six companies were rescued from the shipwrecks (92, 94 i., ii.). On the 25th, three days after the disaster, a Council of War was held. The General and the army officers were apparently of opinion that they might still continue the advance (175 ii., v.). But the naval officers, after consulting a few of the pilots, unanimously resolved that "by reason of the ignorance of the pilots and the uncertainty of the currents" it was impracticable to proceed (92, 92 ii.). Col. Vetch protested, instancing the success of Sir William Phips' Expedition, which had navigated the river successfully at a much later season of the year, without the aid of a single man who had ever been there before. In response to a challenge, he expressed his own willingness to point out the way to the Fleet (175 v.). So dissatisfied was he with the pusillanimity of the resolution to retreat, that upon returning to his ship, he wrote a strong letter to the Admiral, begging him to hold another Council of War and to reconsider his decision, and urging that the navigation from that point to Tadousac presented no further difficulty (175 ii.). Sir Hovenden Walker ignored this suggestion, and there was now nothing for it but to send an express to recall Nicholson from his advance upon Montreal, and to retire to Spanish River, where the Fleet cast anchor on Sept. 4th (92).

The
Expedition
abandoned.

There still remained the possibility of reducing Placentia. Another Council of War was held on the 8th to consider whether the Instructions for an attack upon that

place on the return from Quebec could be put into execution. A letter from the Governor of Placentia to M. Pontchartrain was intercepted and brought in at this juncture. It seemed to promise invaders a warm reception. The Council of War unanimously decided to abandon this design also, fear of bad weather combined with a shortage of provisions being given as the reasons. For, after the losses in the river, the provisions remaining in hand were found to be only sufficient for ten weeks on short allowance. But further supplies were being collected in New England, and three transports fully laden with salt provisions from Virginia were expected to join the Fleet from New York (92, 92 iii., 94 i., 175 v.). Together with their convoy, H.M.S. *Faversham*, these transports were eventually lost off Cape Breton, Oct. 7 (162). A detachment was sent to Annapolis Royal, to strengthen and relieve the garrison there; the remainder of the New England troops were sent home; and the Expedition returned ingloriously to England, Sept. 15th. Some of the troops intended for Annapolis Royal found their way to Boston and were there disbanded (92, 92 iii., 94 ii., 175, 175 iii., iv.). The document 175 iii. is obviously wrongly dated August for September. The evidence of the pilots was taken and sent home (165).

Addresses
for its
renewal.

The ill effects from the failure of the Expedition anticipated by Col. King (94) and Governor Dudley (165), were soon apparent. There was an outbreak of raids upon the frontiers of New England, New York and Nova Scotia (162, 175, 229, 296). It was feared, too, that the loyalty of the Five Nations had been shaken (296). Addresses for the renewal of the Expedition were forwarded from New York (162), Massachusetts Bay (123), and New Hampshire (147), with the hope that they would not again be required to supply a contingent.

Grant of
stores of war
and payment
of bills.

The bills for the expences of the Expedition were paid with remarkable promptitude. Lord Dartmouth, in announcing the decision of the Treasury, expressed the hope that such punctuality would be an encouragement to everybody to show their zeal for the good of their country. At the same time the small arms and

ammunition which had been designed for the Expedition were presented to the Governments of New England and New York, and Lord Dartmouth communicated this "mark of H.M. concern for her subjects in the Plantations" to the Lieutenant Governor of Virginia (308—311). Frequent and urgent demands for supplies of stores of war for the Plantations had given rise to some discussion at home.

The Board of Ordnance, in response to an enquiry about the demand of arms and stores for the Leeward Islands, represented that they had no grant from Parliament to enable them to satisfy it. If the Islands could no longer pay for their own arms, then, the Board suggested, they ought to apply direct to Parliament (63, 69, 194, 194 i., ii.). The Council of Trade thereupon made a representation, recommending that an annual sum should be voted for providing stores for the defence of the Plantations (313). Virginia, threatened with an Indian war, was practically destitute of ammunition (204, *p.* 113). But when the request for arms and ammunition for that Colony came to be considered (382 i., 383, 387), it was objected that there had been grave abuses in connection with the distribution of such stores, and that it was "a common practice to sell arms *etc.* to those very Indians against whom they were intended to be employed." The Council of Trade were asked to consider, therefore, what steps could be taken to prevent such frauds (387, *cf.* 120). In reply they pointed out that by the Act of 1684 every Virginian Militiaman was obliged to provide himself with arms, and also that when arms were sent from England in 1702 directions were given that they should be paid for. This had not been done. It was suggested that, if arms were now sent to supply the urgent need of the Dominion, they should only be delivered to such persons as should pay for the same, and also that the Militia Act should be put in force (417).

The Navy
in the
West Indies.

Apart from trouble arising from the protection of deserters from the Navy, and the difficulty of replacing them, to which frequent reference is made in the accounts of the Canada Expedition, there is evidence of considerable

Friction
between
Governors
and Naval
Com-
manders.

friction between Governors of Plantations and some of the Commanders of the Naval ships detailed to act as guardships in the West Indies. Thus Capt. Norbury in the Leeward Islands, when requested to take home for trial some officers concerned in the rising against Parke, objected that he was not under the command of the Governor (63, 81, *cf.* 120). The Governor of Barbados reported that the great losses of the shipping off the coasts of that Island from enemy privateers were largely due to the "little regard the men of war paid to the orders" of the late President (77). Capt. Constable presently refused to send a ship to England with French prisoners whom the Government wished to convey there, (318, 318 viii., 378 xii.). He also refused to convoy the merchant fleet upon the General's orders (318, 318 viii., 378 xii., 434, 434 i., iii.). By their Instructions Governors were directed not to exercise any authority over the Captains of the men of war, unless they had a commission from the Admiralty so to do (63, 77, 434).

Trading by
ships of war.

Another grievance was set forth in a petition by the leading merchants of New York, who complained that the trade and navigation of that city was much diminished by the men of war which, in cruizing to and from the West Indies, carried cargoes of merchandize and entered into unfair competition with ordinary traders and shippers (433 i.). The Council of Trade represented that this was a dishonourable practice which ought to be strictly forbidden (438).

Capture of
Spanish
Galleons.

The Naval Squadron under Commodore Littleton, stationed at Jamaica, was constantly on the watch for an opportunity to pounce on the Spanish galleons which were reported to be ready to sail from Cartagena. It was also hoped to intercept the French Squadron under M. Ducasse, which had been sent to convoy them (18, 25). Littleton was partly successful. For he captured some of the galleons, and with them a Spanish Vice-Admiral. But Ducasse, with the plate, eluded him (37, 75, 76, 82). The prizes were therefore not so rich as had been expected. The Spanish Admiral had been killed, but the Vice-Admiral was captured. He

Spanish
prisoners
detained for
exchange
with English
at Lima.

with the other prisoners was detained by the Governor of Jamaica in order to secure the release of the English prisoners at Lima (25, 76, 83). The Governor of the Spanish coast of St. Domingo, who was captured shortly afterwards by a Jamaican privateer, was similarly detained (125, 267).

French
ships
captured.

Besides many prizes taken by privateers on either side (18, 77 i., 82, 94 i., 186, 378 xi., 335 i., 418, *etc.*), *Windsor* and *Weymouth* captured the French man of war *Thetis* and two rich merchantmen in July, 1711, after a sharp fight (18, 28). In May, 1712, the guardships of Virginia and Barbados acting in concert made a rich haul, taking twelve out of a fleet of seventeen sail of French merchantmen with stores and ammunition bound for Martinique, whilst *Enterprize* captured the man of war which was convoying them (319, 418). Cartels for the exchange of prisoners were proposed to several Governments by the French. They were generally refused on the grounds that such interchanges gave opportunities both for spying and illegal trade, whilst, in the case of those returned to Martinique, where, the Governor of Barbados declared, the people lived entirely by piracy and privateering, such returned prisoners were back at their trade on the English coasts within a week (77). We have seen that the officer sent from Placentia to Boston, ostensibly to propose a cartel, seems to have been sent really as a spy and French agent to dissuade the Colonists from supporting the Expedition against Canada.

Exchange
of prisoners
refused.

St. John's
proposal for
uniformity
of Govern-
ment.

A very remarkable passage occurs in a letter from the Governor of New York. In reply to some enquiries by St. John, who had asked for his views upon the state of affairs in the Plantations, Col. Hunter declared outright that the "British interest in these parts . . . is in a bad state, of which the frequent tumult in all parts, and the general aversion to the support of Government in most, are sufficient indications." St. John had hinted at the desirability of putting all North America under one uniform scheme of Government (it will be remembered that it was the fear lest the conquest of Canada would lead inevitably to a uniform Government throughout

America which, in the opinion of Col. King, prompted New Englanders to attempt to prevent it (*p. xi.*). Such a consummation as St. John proposed would, Col. Hunter agreed, be a sure remedy, but unfortunately it must be a slow one, and more urgent measures were necessary. In the Proprietary Governments, the Councils were a mere cipher, having no share in the Legislature, and the Governors, being dependent for their daily bread upon the goodwill of the Assemblies, had been obliged to make such concessions, that the Crown would pay dear for much trouble and no dominion if they were purchased and continued upon the present footing. The neighbourhood of Colonies in which the Assemblies were almost all-powerful stirred the ambition of those which were under the more immediate Government of the Crown. They took the "Connecticut scheme" as their model, and by starving their Governors, refusing adequate supplies, and endeavouring to restrict the powers of the Councils, were aiming at establishing themselves on the same basis as those Chartered and Proprietary Governments which, they conceived, were better off than themselves. They had but one short step to take then towards complete independance. Hunter concludes:—"A greater assertor of Liberty, one at least that understood it better than any of them, has said, that as Nationall or Independant Empire is to be exercised by them that have ye proper ballance of Dominion in the Nation, soe Provinciall or Dependant Empire is not to be exercised by them that have the ballance of dominion in the province, because that would bring the Government from Provinciall and Dependant to Nationall and Independant. Which is a reflection that deserves some consideration for the sake of another from ye same person to wit, that ye Colonies were infants, sucking their mother's breasts, but such as if he was not mistaken, would weane themselves when they came of age." (*pp. 103, 104, No. 250*).*

Hunter, of course, in writing thus was thinking more

* The passage in question is quoted, with some verbal inaccuracies, from James Harington's political romance, *The Commonwealth of Oceana*. I am indebted to Professor A. P. Newton for his help in placing this quotation.

particularly of New York and New Jersey, where he was in the thick of a critical constitutional struggle.

Elsewhere, as for instance in Carolina, the evil effects of the chaos and confusion resulting from incompetent Proprietary government were sufficiently evident to the inhabitants to render them anxious to exchange such chartered freedom for the greater security of the neighbouring Dominion of Virginia (*p.* 221). But, in general, the same motives may be assumed to underly the same manoeuvres, which were being executed by the Assemblies in other Governments, not only on the Continent, but also in Barbados, Jamaica and the Leeward Islands. The records printed in this Calendar demonstrate that the progress of political ideas, whether inspired by the writings of Sir Harry Vane or another, marched with equal steps in America and the West Indies.

Reaction of
political
ideas and
events.

The reaction of the Colonies to political developments at Home was also remarkably close and immediate. Attention has been called to this phenomenon in the Preface to the previous volume. In the present one we have fresh instances of it. The sudden change of the Ministry induced the Assembly of New Jersey, according to Dr. Coxe (*pp.* 9, 10), to withdraw an address which they had prepared representing their grievances against the late Governor, Lord Cornbury. Cornbury himself, now third Earl of Clarendon, entered once more into the arena of Colonial affairs. He was given office in the new Tory Ministry as First Commissioner of the Admiralty, and was invited by Harley, the Lord High Treasurer, to report upon Governor Hunter's estimate of the sum required for the subsistence of the German Protestant Refugees whom he had settled in New York. Hunter had suggested that £15,000 a year for two years would be needed before the Palatines could make their own living by manufacturing naval stores. Cornbury, of course, seized the opportunity to torpedo the whole scheme and to embarrass his successor. To continue their subsistence for two years would, he suggested, merely encourage the Palatines in laziness and enrich Livingston. He also threw doubt upon Hunter's boasted economy (193, 193 i.). The replies made on Hunter's

Cornbury
and the
German
Protestant
Refugees.

behalf, together with his accounts, enabled the Council of Trade to urge the continuance of the scheme upon the basis he had proposed. Hunter had pledged his own credit deeply in order to carry on the settlement of the Palatines in accordance with the Instructions he had received. He was as good and honest a Governor as Cornbury had been a bad and corrupt one. But Hunter was a Whig, and Cornbury apparently had the ear of the Tory Minister (206, 210, 290).

The Board
of Trade.

We have now reached the beginning of a period when enormous delays are revealed in dealing with the dispatches of Colonial Governors by the Council of Trade and Plantations. The reasons for such delays were, it may be suggested, twofold. In the first place, the elaborate and intricate commercial questions which arose in the course of the negotiations for the Treaty of Utrecht were usually referred to the Board of Trade. The whole case for a Commercial Treaty with France was explored by them during the months now under review (*v. Board of Trade Journal*). The solution of these problems involved the Commissioners and their small staff in an immense amount of urgent business, to which the volumes of the Colonial Office Records relating to Trade matters at this period, now preserved at the Public Record Office, bear most ample and interesting testimony. Plantation business was therefore necessarily postponed. A second cause will presently begin to operate. This was the uncertainty of the political issue. For before long, when Bolingbroke was manoeuvring towards a Legitimist restoration, the substitution of "honest" men for those of Hanoverian principles began. It was not only in the army that officers of the "right" principles were appointed by the Tories to military posts of importance on the eve of the *coup d' état* which they never struck, but a similar substitution also began, or was prepared, in the case of Colonial Governorships, and civil servants, of the Commissioners of Trade and their capable and long-trusted Secretary, William Popple. The effect of such uncertainty of status would naturally be paralysing.

Case of
David
Creagh and
witnesses
sent home.

A case in point is a letter written by Lord Archibald Hamilton, Governor of Jamaica, in which reference was made to the case of one David Creagh. Merchant

and supercargo of a sloop from Barbados he had been committed on a charge of High Treason for trading with the Queen's enemies, and sent to England for trial. The witnesses against him were not sent home at the same time owing to an oversight on the part of the Commodore of the Jamaica Squadron who carried them off with him on a cruize (423, 423 vi.). This letter was not read at the Board of Trade till twelve months after its receipt, a delay which led to some confusion.

Revenue
accounts.

In the course of correspondence with the Treasury, the Secretary of the Board states that, in spite of frequent reminders, Governors of Plantations on the Continent had wholly failed to make returns to the Council of Trade of the public revenue and expenditure. They had, he declared, received "only some few from Jamaica." This was certainly an over-statement of the case. He refers for further information to the Auditor General, William Blathwayt. Students of Colonial History wish that they could follow his advice. But what has become of the papers of that industrious official? (84, 99).

Replies to
instructions
demanded.

A circular letter was presently dispatched to Governors, requiring their observance of the Article requiring them to render half-yearly accounts, as well as other articles of their Instructions which they had omitted to fulfil (132—142). At the same time copies of two recent Acts of Parliament affecting the Colonies were forwarded for publication,—the Act *for the encouragement of trade to America*, and the Act *for the preservation of white and other pine-trees*.

Acts of
Parliament
to be
published.

Salary of
the Board
in arrears.

The salary of the Commissioners was two and a half years in arrears by Lady Day, 1712 (159, 367). The Board suggested that a lump sum of £400 should be paid to their Secretary annually for defraying the incidental expenses of the office, apart from postage (217), but this suggestion was not adopted in the new Commission (281).

New
Commission.

Delay in
transmitting
Acts.

The Attorney General drew attention to the delay which sometimes occurred in transmitting for confirmation Acts passed in the Plantations (390). In the event of repeal, such delay was bound to cause unnecessary trouble (394).

§ 2.

THE AMERICAN COLONIES.

North
Carolina.
Col. Cary's
rebellion.

Whilst Edward Hyde was being duly appointed and approved at home as Lt. Governor of North Carolina, (13, 57), he was engaged, through no fault of his own, in a serious struggle with Col. Cary and the Quaker party, who broke out into open and armed rebellion against his authority and that of his Council and Assembly. We have here accounts of the matter from the Council, the Assembly, Hyde himself and Col. Spotswood, Lt. Governor of Virginia (42, 42 iv., 78, 78 i.). From these we gather that Col. Tynte, Governor of Carolina, having died before he had given Hyde his commission as Lt. Governor of North Carolina, the latter, on his arrival in the country, found himself without proper credentials. He was able, however, to demonstrate that the Lords Proprietors intended him for Lt. Governor, and he was accordingly unanimously invited to administer the country as President of the Council until his commission should arrive. Col. Cary had himself joined in this invitation. But he presently proceeded to obstruct the Government, protesting that Hyde had exceeded his powers in summoning an Assembly, which he probably perceived to be inimical to himself. The Assembly thereupon ordered him and some of his chief supporters into custody, and passed some Acts directed against him, in retaliation for his previous misdemeanours. In this Col. Spotswood thought they showed themselves both vindictive and indiscreet. Cary soon escaped from prison and, defying the authority of the Assembly, raised a revolt. First he fortified his house and shut himself up in it. Then, finding that the Government was powerless to capture him, he passed to the offensive. Fitting out a brigantine and some other vessels, he declared himself President, and sailed to attack Hyde and his Council. Hyde thereupon appealed to Virginia for help. Col. Spotswood at first endeavoured to mediate between the two rival factions. But Cary insisted upon an appeal to arms. Moreover, he and his supporters

endeavoured to incite the Tuscarora Indians to rise and massacre their opponents. Failing in his attempt to seize Hyde and his Council, Cary withdrew into the recesses of the country, where it was not practicable for the Virginian militia to pursue them. For Spotswood had raised his militia when Cary and his Quaker supporters had rejected his attempts at mediation. The Commodore of the convoy of the Virginian trade fleet had refused to help him with men and boats, "judging it the least part of his duty to do any service to this country." But Spotswood dispatched some marines from the guardships to Carolina. Upon their appearance, the leaders of the rebellion dispersed. Cary and some others fled to Virginia. There they were apprehended by order of Col. Spotswood, and sent to England for trial (55, 60, 78, 78 i.).

Massacre by
Tuscarora
Indians.

The troubles of North Carolina were not, however, at an end. Unsettled by the intrigues of Cary and his supporters, and emboldened by the evident weakness and division of the country, a party of Tuscarora Indians rose and massacred the inhabitants of the frontier plantations, "killing without distinction of age or sex about sixty English and upwards of that number of Swiss and Palatines, besides a great many left dangerously wounded," and burning the plantations. Even in the face of this deadly menace, Hyde was unable to rouse the province to make a united resistance. Col. Spotswood, however, fully aware of the danger lest the conflagration should spread over the borders of Virginia, called out his Militia, and summoned to a conference both those Tuscarora Indians who had remained loyal and the other tributary and bordering tribes. He at once put a stop to all trade with the Indians, "finding they were better provided with ammunition than ourselves," and demanded the release of the Baron de Graffenried, the head of the Swiss and Palatine settlement, who had been taken prisoner by the raiders and was being reserved "to be tomahawked and tortured at their first public war dances" (120). In this he was successful (177). Graffenried was released after being obliged to conclude an agreement of neutrality with the Indians, on behalf

Emigration
to Virginia.

Lords
Proprietors'
directions.

Campaign
against the
Tuscaroras.

of his Palatines, seeing that he could rely upon no help from the distracted people of North Carolina. Such, indeed, was the condition of the country that both he and other settlers were anxious to migrate to Virginia (301, 408). In these circumstances Col. Spotswood urged the necessity of orders being sent from home directing Virginia, Maryland and Carolina to assist each other in case of either being attacked (*p.* 222). The Lords Proprietors wrote to the Council and Assembly recommending the Lieutenant Governor and urging the passing of a Militia Act. They required the quit-rents to be paid in silver, and whilst commending to their care the establishment of the Church, promised to contribute £200 towards the building of a church (306). They also expressed their thanks to Col. Spotswood (339). More effective aid was rendered by the Government of South Carolina. At the beginning of 1712 a body of 700 Indians under British officers was sent to the aid of the Northern Province. Their first attack upon the Tuscaroras met with success, but this was followed by a check. The preliminary success encouraged the people of North Carolina to elect a new Assembly and raise a fund for carrying on the war. But they could not enlist a sufficient force. For the Quakers who had fought against Hyde's Government would not carry arms against the Indians. Another appeal for aid was made to Virginia. It was readily granted. For there seemed good reason to believe that the whole Tuscarora nation was in sympathy with the outbreak. The conditions to which they had agreed at their Conference with Spotswood had not been fulfilled; evidence had come to light that they were endeavouring to induce the tributary Indians to join them; and the repulse of the force sent from South Carolina had excited their warriors' ardour. It was recognised that to send Virginian troops to Carolina was a prudent measure of defence for their own frontiers. The Council of North Carolina, however, refused to undertake any responsibility for the payment of the Virginian troops or for furnishing them with provisions. Before they were ready, and without the knowledge of Lt. Governor Hyde, the Commander of the troops from

South Carolina made a hasty peace with the Indians “upon very unaccountable conditions, at a time when he had reduced one of their most considerable forts to the last extremity.” With such an object lesson of the weakness and disunion of the Carolinans, it was not thought likely that the Tuscaroras would be content for long to keep the peace so hastily made (408). (*See also under Virginia*).

Maryland.
Need of a
Governor.
Report upon
Lord
Baltimore's
petition.

The Governorship of Maryland still remained vacant. Lord Baltimore had petitioned that he might now be allowed to exercise again the Proprietor's right of appointing a Governor. The Attorney General and Council of Trade, however, reported that the circumstances which had rendered the appointment of the Governor by the Crown necessary and desirable still obtained, and were likely to do so at least so long as the war lasted (38 i., 50). Complaints came to hand as to the administration of the law by the Roman Catholic party. The need of a Governor was emphasised (101, 101 ii., 314). The Council of Trade, in a further representation, made a suggestion of their own for filling the vacant Governorship (349). But their suggestion was ignored.

New
England ;
Massachu-
setts Bay
statistics.

Paper
money.

Church
taxes.

Preparations for the Expedition against Canada, dealt with above, form the greater part of the public business transacted in New England. The replies which Dudley sent home in response to the enquiries of the Board of Trade into the administration of New England, contain a good deal of statistical information (135, 375, 375 i.). A list of causes tried in Massachusetts Bay is given (230 viii.-xvii.). Issues of paper money had now resulted in driving out of circulation all coin, foreign or other, in accordance with the well known monetary law (167). A considerable amount of heat was engendered by the laying of a tax upon the inhabitants for building a new meeting house at Newbury and the maintenance of Ministers, whilst several of the inhabitants and freeholders of that town, some of whom had recently become members of the Established Church and had begun to erect a church for themselves at their own cost, were ordered by the Assembly to desist. Mr. Bridger, the Surveyor General of Woods, took up their

cause, and an appeal was made to Lord Dartmouth (291, 291 i.-iii.).

Waste of
woods.

Bridger found himself powerless to prevent the waste of the Crown woods by the contractor to the Navy as well as by the inhabitants (85, 163, 292.) Hopes, however, were entertained of the new Act for *the preservation of white and other pine trees*, the publication of which was specially ordered, together with the Act for *the encouragement of the trade to America* (132 ff., 142, 292).

New Acts of
Parliament.

Mining
Company's
Prospectus.

A prospectus was issued by the Society of Mines for the development of iron and steel works in New England and of copper works in Connecticut, with a pamphlet directed against the "base and scandalous stockjobbing" of an "upstart Company of Mine-Adventurers" (439 i.-iii.).

Governor
Hunter's
Conference
with Five
Nations.

Governor Hunter found his hands full with the affairs of New York and New Jersey (95). His instructions for the preparations for the Canada Expedition reached him as he was returning from a Conference with the Five Nations at Albany. This Conference followed upon Col. Schuyler's mission to counteract the French influence at Onondage. The Five Nations renewed the Covenant and presently contributed about 800 warriors to the Expedition (96, 95 ii., 97 iv.).

Raids by
enemy
Indians, who
traded at
Albany.

The failure of the Expedition had its natural repercussion in an outbreak of frontier raids. There is evidence that these raids were sometimes combined with the trading at Albany which New York merchants carried on with enemy Indians (162, 401).

Presents etc.
to the Five
Nations.

Following upon resolutions by the Society for the Propagation of the Gospel, orders were given for making presents to the Five Nations, the dispatch of a Missionary and interpreter, the settling of a garrison in the new fort, and the furnishing of the Chapels, *etc.* (359, 361).

Hunter's
struggle
with the
Assembly.

Hunter carried on his struggle with the Assembly of New York throughout the year. He was at length compelled to declare that it was hopeless, and that nothing but strong measures by Parliament could save the situation. A new Assembly came back on the popular cry of economy almost identical with the old.

It could not therefore be expected that it would prove any readier than the last to make adequate provision for the support of the Government (*p.* 97).

The Representatives soon showed, indeed, that they would not abate one jot of their pretensions. They maintained their attitude of denying to the Council the right to make any amendment to a money bill, and in order not to lose their vote for the Canada Expedition, Hunter was obliged to resort to a subterfuge by which to secure a necessary amendment. "They will be a Parliament," he comments (*pp.* 97, 100). In a letter written to St. John in Sept., 1711, to which we have already referred (§ 1), he warns him that unless some speedy and effectual remedy is applied, "the disease may prove too strong for the cure." For the Assembly was already claiming all and more than all the powers and privileges of the House of Commons, and, should the Council follow suit and claim the rights of a House of Peers, there would then be established a body politic independent of the Great Council of the realm. To keep them within bounds, whilst the Revenue bill was being passed through Parliament, he urged that they should be reminded by a royal letter that they held their privileges by favour from the Crown and only so long as they used them for the Queen's interest and the support of her Government (*pp.* 103, 104, *No.* 162). A few months later (Jan. 1st, 1712) he again wrote both to St. John and Dartmouth, as strongly as it was possible to write, appealing to them to remedy the desperate condition of the Queen's Government in that Colony. He had done everything in his power, but the mask was now thrown off. The Assembly was deliberately challenging the position of the Council and the powers granted by Royal letters patent. "They have but one short step to make toward what I am unwilling to name." Officers of the Government were being starved and treated as enemies, and the expenses of the administration were defrayed by the Governor's credit alone (250, 252). The details of the situation are given in his letter to the Council of Trade of the same date, and in an Address by the Council complaining of the proceedings of the Assembly (251, 251 i., 389).

Hunter
supported
at home.

The Council of Trade gave Hunter their full approval and support. Writing in Nov., 1711, they informed him that, upon their representation, a bill had been ordered to be brought into Parliament for settling a Revenue for the support of the Government in New York. It was probably merely intended as a threat, and Parliament rose before it could be proceeded with. But in view of the continued obstinacy of the Assembly, the Board of Trade recommended the re-introduction of the bill (169, 170). At the same time they confirmed Hunter in his attitude concerning amendments to money bills and the disposal of stores at Albany. They directed him to remind the Assembly that they sat merely by virtue of the Queen's Commission to himself (169). Upon receipt of Hunter's abovementioned letters in April, they repeated their recommendation that Parliament should make provision for a revenue at New York, and supported the Governor's suggestion that the Queen should signify her disapproval of the undutiful proceedings of the Assembly. "If the Assembly of New York is suffered to proceed after this manner" they added "it may prove of very dangerous consequence to that Province, and of very ill example to H.M. other Governments in America, who are already but too much inclined to assume pretended rights tending to an independency on the Crown" (250, 251, 389). They also wrote again to Hunter repeating their strictures upon the Assembly's infringements of the Royal Prerogative, and warning them that proper remedies would be applied unless his next letters brought news of their having changed their behaviour (444). It is evident that great reluctance was felt in using the extreme measure of Parliamentary authority. But such warning and forbearance had so far but little effect. In June Hunter reported that he had been obliged to accept a quite inadequate Act for the support of the Government, whilst the Assembly made it clear that they were ready enough to relieve the intolerable difficulty of his personal position, if only he would concede to them the Royal Prerogative of appointing and paying officers (454).

Objection to
the Census.

In collecting statistics for replies to the queries of the Board of Trade (454, 454 i.-vii.), Hunter encountered

an objection to the Census, "the people being deterred by a simple superstition and observation, that the sickness followed upon the last numbering of the people" (454).

No registers kept. Analogous instances of this superstition based on the same fear of the "sin of David," have been collected by Sir James Frazer (*Folk Lore in the Old Testament*, Pt. III., Ch. V.). Hunter hoped, however, to complete his census, having devised a new method of securing returns (p. 301). As to births and burials, no registers had ever been kept, nor could they be, until the counties were divided into parishes. Great numbers remained unchristened for want of Ministers (454).

A negro conspiracy. Hunter's humanity. A murderous outbreak by some negroes, who sought revenge for cruel usage, caused something of a panic at New York. Those conspirators who were seized were brought to trial before the Justices under an Act for dealing with such emergencies. Exemplary but savage punishment was inflicted on those found guilty. More, indeed, were executed than were known to have taken an active part in the insurrection. Hunter endeavoured to moderate the vengeance of the Colonists and reprieved some of the prisoners (454). He also found time to champion the cause of the invalid regular soldiers in the Independent Companies at New York. They amounted by this time to a quarter of the whole strength of the establishment. Upon his representations it was arranged that they should become out-pensioners of Chelsea Hospital (96, 231).

The settlement of German Protestant Refugees. In the autumn of 1711 Hunter was able to report that, after his quelling of the mutiny, the German Protestant Refugees were settling down to work, and that they were now well on the way to produce Naval Stores. Some of them, as we have seen, were drafted for the Canada Expedition (95, 96). The question of their subsistence was, however, causing the Governor great anxiety (v. § 1).

Shipbuilding at New York. Complaints against the Clergy. Other matters referred to in Governor Hunter's correspondence are Col. Heathcote's proposal for shipbuilding at New York (335, 335 ii.), and complaints against the factious behaviour of some of the clergy of the Province (337 ff.).

New Jersey.
Opposition
of the
Council.

In New Jersey the position was the reverse of that in New York. Here the Assembly and the Quakers supported the Governor, whilst half the Council were bitterly opposed to him and them. A long letter from one of the opposing Councillors, whom we may presume to have been Daniel Coxe, gives their point of view, that of the Anglican or Jacobite party and supporters of Cornbury (14 i. *cf.*, 436, 443, 449). News of the change of Ministry at home, it is said, led the Assembly to suppress a representation they had drawn up against Cornbury's administration and those Councillors who had supported him (*p.* 10). But they took measures against those who had championed Cornbury and his administration, expelling two members, who were, however, again returned by the counties for which they sat. The Assembly refused to allow them to take their seats. They passed and sent up several bills which the obstructive Councillors promptly rejected, being especially horrified by a bill to qualify Quakers for serving on all juries and holding office, and another to make the English bankruptcy laws current in the Colony (14 i.). A petition against the former bill and the activities of the Quakers as enemies of Church and State was presented to the Queen (58 i.). Another grievance of the Councillors was that they were governed from New York, and by officers who resided in that Province, whilst of those who resided in New Jersey "all the North Britains that can be found, though never so scandalous, are preferred, and next to them the Quakers" (*p.* 11). This complaint was an echo of Mr. Sonmans' indecent demonstration at the Middlesex election, when he had declared against a North Britain Government (*p.* 6). It was, of course, an attack upon Hunter. The Governor, meanwhile, had come to the conclusion that the experiment of appointing an equal number of representatives of both parties to the Council had proved a disastrous failure. The six obstructive Councillors were determined to stir up strife and interfere with the administration of Justice. One of them had now started an agitation against the payment of taxes (249, 249 i.). Nothing was required to secure the peace and goodwill of the Province but the

removal of these Councillors from office. That done, he could promise an entire settlement of the country. Till that was done, everything was in suspense (249).

Hunter's reading of the situation was confirmed by the Proprietors of New Jersey in London, who referred to their former representations to the same effect, and submitted the names of more desirable Councillors (156, 156 i., 413).

Nova
Scotia.

When Col. Vetch left Annapolis Royal to take up his command of the Colonial troops on the Canada Expedition, he appointed Sir Charles Hobby to be Deputy Governor in his absence (71). The French Indians had made an attempt upon the fort after their successful ambush, but without effect. Vetch reported (July, 1711) that the place was safe, and some troops and stores could be spared from the garrison (46 i., 61). These were requisitioned by General Hill. Sir Charles' refusal has been referred to above (§ 1). Lively fears were entertained as to the effect of the failure of the Canadian enterprise. It was expected that an attempt would be made by the French to recover Nova Scotia (175, 247), and intercepted letters seemed to point to a possible attack upon Annapolis Royal by sea (92, 94 i.). In these circumstances dispositions were made both by orders from home for the protection of the place (247), and by Governor Vetch and General Hill to strengthen the garrison. A detachment of New England troops and a company of Mohawks were ordered to their relief. Stores and an engineer were also sent there, and, for the sake of discipline, Major Caulfield was appointed Lt. Governor (92, 175, 175 iii., iv., 253). At the end of the year he reported that the place had by then been rendered strong enough to resist any force that could be brought against it, and that the inhabitants, who had suffered some hardships, were well satisfied since the publication of the Royal Proclamation (62, 92, 208, 457).

References are made by both sides to the severe treatment which had been meted out to the French inhabitants (46, 46 i., 94 ii., 208). Governor Vetch is blamed for this by Capt. Vane, the Engineer (403), who also charges him with trading on his own account

to the detriment of the inhabitants, the garrison and the Treasury alike. Vetch, on the other hand, had good grounds of complaint, and was subjected to strong temptation (402). It often happened at this period that Governors were ordered to undertake certain enterprises, involving more or less heavy outlay, without any care being taken to provide for their financial necessities. So Vetch at Annapolis Royal found himself without means or salary, and the bills he had drawn for the provision of the garrison were not accepted at the Treasury (84, 304, 452, *p.* 165).

Vetch's
report.

Col. Vetch sent in a report upon the resources of the country and the measures which he deemed necessary for its development (192).

Pennsyl-
vania.
Penn's
surrender.

The Attorney General reported upon William Penn's proposed surrender of his Government (331). The question of the amount of compensation to which he would be entitled produced an account of the Revenue of the Province (298, 298 i.).

Affirmation
Act
repealed.

The affirmation Act, which enabled Quakers to give evidence in criminal cases, and against which protest was entered from New Jersey, was repealed (58 i., 203, 221).

Virginia.
The
Assembly.

In Virginia, Lt. Governor Spotswood found the Assembly recalcitrant. They renewed their quarrel with the Council and still refused to provide for the payment of the public debts, although they approved of the services for which they had been incurred. They were ready, indeed, to raise money by imposing a duty upon British manufactures, but this could not be admitted (301, 408). But as to laying a tax upon the country, the received opinion of the populace was that "he is the best patriot who most violently opposes the raising any money, let the occasion be what it will," and upon this cry at the elections members calculated to retain their seats (301). Spotswood therefore dissolved the Assembly on Jan. 31st. No provision had been made for carrying out the terms of the Treaty with the Tuscaroras, and the Government was left without any fund wherewith to meet any emergency that might well arise in the unsettled condition of the frontier (301, 408). Spotswood declared that there was no personal difference between himself

and the Burgesses or the country. He expected a reaction against the parsimonious policy of the late Assembly, but determined to await sure signs of it before holding another election (301).

Virginia
and the
Indian War.

Upon hearing news of the massacre in North Carolina, (*cf. See p. xxiii.*), in which some at least of the Tuscarora Indians were involved, Spotswood at once put a stop to the Indian trade, mobilised the Virginian militia, and summoned the Tuscaroras and the neighbouring Indians to a conference. Impressed by the appearance of the Militia, the Sachems expressed their desire for peace and their concern that any of their tribe should have taken part in the massacre. Spotswood suggested that they should take a share in the punishment of the assassins, offering them rewards for so doing, and he obtained the release of Baron de Graffenried. He also demanded that two children of the chiefs of each town should be sent to be educated in Virginia and held as hostages for their good behaviour. This scheme he welcomed as a step towards the conversion of the Indians to Christianity. At the same time, by offering to remit their tribute, he induced some of the Chiefs of the tributary Indians to send their sons to be educated at the College, hoping that the Assembly would supplement the fund left by Mr. Boyle for that purpose (177). Several of the Council agreed to advance the money which the Assembly refused to supply for making good the treaty with the Tuscaroras. But the situation remained very anxious. The good faith of the Tuscaroras was doubtful; the Senecas were threatening to take revenge for the killing of one of their Chiefs by a Virginian; and there was a danger lest the French should succeed in uniting all the neighbouring Indians with those subject to them in an attack upon the frontiers of the English Colonies (382 i.). It was not long before Carolina again appealed for help. Spotswood prepared to send it, but, as we have seen (*p. xxv.*), a peace with the Indians was patched up before the Virginian troops crossed the border (408). Unmoved by the dangerous nature of the situation, the Assembly persisted in their refusal to provide for the defence of the country. When, in the previous summer, there was reason to

Quakers
and Con-
scientious
Objectors.

apprehend an attack by the French squadron in the West Indies, they had refused to vote supplies for the fortification of a province which could not boast a single palisade or mounted gun, "the expense," Spotswood observed "appearing to them much more immediate than the danger." He had, however, persuaded them to revive a law for the defence of the country in emergencies, and under the powers conferred by this Act he made some progress in the fortification of the mouths of the chief rivers. In this task, however, he was impeded by the attitude of the Quakers. They refused to work themselves or to allow their servants to work on the fortifications, affirming their consciences would not permit them to do so, or even to supply provisions for the workers, though they would feel obliged by their religion to feed the French, should they come. Spotswood sardonically contrasted this attitude with that of the Quakers who had been the most active in taking up arms against the Government of Carolina. He decided to put what pressure he could upon them under the existing laws, deeming it "absolutely necessary to discourage such dangerous opinions, as would render the safety of the Government precarious, since everyone that is either lazy or cowardly would make use of the pretence of conscience to excuse himself from working or fighting when there is greatest need of his service" (*p.* 113, 114).

Proposal for
combined
defence of
the Colonies.

In the face of these difficulties and dangers, the Lieutenant Governor urged that he should be allowed to make use of the quit-rents as an emergency fund; he made repeated appeals for a grant of arms and ammunition, of which the country was almost bare (*see p.* xv.), and, in view of the critical nature of the situation, he suggested that speedy orders should be given for Virginia, Maryland and Carolina to assist each other in case an attack should be made upon any one of them, and that the regulation of such assistance should be defined and not left "to the precarious humour of an Assembly" (*p.* 222).

Boundary
with
Carolina.

The settlement of the boundary between Virginia and Carolina still hung fire, no instructions to that

end having been given by the Lords Proprietors to the Governor of North Carolina (90, 408, 418).

Immigration
to Virginia
and Carolina.

Whilst the terms of grants of land and the collection of quit-rents in Virginia were being made more strict, the more advantageous terms upon which land could be taken up in Carolina were tempting settlers to cross the border into the Proprietary Government. The unsettled state of that country, on the other hand, led others to wish to move from the Indian frontier to the greater security of Virginia (408, 418). The latter movement was checked by doubts as to the proprietorship of lands in the fork of Potomac (*p.* 280); the former was further encouraged by the fact that whilst in the grant to the Lords Proprietors of Carolina the amount of the royalty to be paid to the Crown upon the working of mines discovered there was definitely declared, the royalties reserved by the Crown in Virginia had not been stated. A good deal of prospecting for gold and silver in the mountains was now in progress, an enterprise in which Spotswood himself was taking great interest. He therefore pressed for a definition of the "due share in all the mines" claimed in grants of Crown lands (418).

Mines and
royalties.

Virginia an
island.

Virginia is again described as an Island in an Order of Council (222).

§ 3.

THE WEST INDIES.

Barbados.
Delay in
transmission
of Acts.

In recommending the repeal of a private Act of Barbados upon the ground of its injustice to one of the parties, the Attorney General drew attention to the ill consequences which might arise from the omission on the part of Governors to obey their Instructions as to remitting Acts for approval by the first opportunity (390, 394). The new Governor was soon in trouble. Lowther found occasion to suspend both the Attorney General, Carter, and the Secretary of the Island, Skene. The former he had at first refused to allow to act as deputy to Mr. Hodges; the latter complained that the Governor had encroached upon his office (80, 211 i., 228, 318, 318 vi.-viii., 378 i., vi., vii., 393 i.). The Council of Trade

Governor
Lowther
and Patent
Officers.

were directed to enquire into Skene's case, and also to consider the general question whether it was desirable that Governors should suspend Patent Officers without orders from home (393).

The
Governor
and the
Navy.

Another source of trouble was the relations of the Governor with the Commanders of H.M. ships appointed to that station. Naval Officers refused to take orders from the Governor. Their refusal to cruise according to his directions or to convoy the Trade Fleet as required was the occasion, it was said, of the severe losses experienced at the hands of enemy privateers (77, 77 i., 319 vi., 378 xvii., 434, 434 i., iii.). Capt. Constable refused to send a ship home with Thomas Kerby, one of Parke's murderers, who had been arrested by the Governor in Barbados. Lowther asked for powers under his Vice-Admiralty Commission, to call Naval Officers to account for disobeying his orders (318).

Complaint
by Clergy.

The Assembly was much incensed by a complaint of the Clergy as to the provision made for them. It was claimed that they were very generously treated. The Clergy, pleading their poverty, had applied for a grant of escheated lands to add to their glebes, and for the settlement of Col. Codrington's donation (228, 228 i., iii., 378 xv.).

Complaint
against
Lowther.
Addresses in
his favour.

Discontent with the Governor's actions found expression in a complaint which was surreptitiously sent home. Such discontent, he suggested, was not unconnected with his rigid enforcement of the Acts of Trade and Navigation, as in the case of the ship *Oxford*. He countered the complaint, whatever it might be, with Addresses in his favour by the Council, the Assembly and the Grand Jury (318, 318 ii.-vi., viii., 319 viii., 378, 378 i. ff., 395, 395 i.).

Exchange
of prisoners
refused.

He gave good reasons for sending French prisoners to Europe, and refusing to comply with their request to be exchanged for English prisoners at Martinique (77). The Board of Trade approved of his decision (186).

Trade
returns.
Barbuda.

An account of exports is given (378 ii.).

The Island of Barbuda was the subject of a petition by William Codrington and the Society for the Propagation of the Gospel in Foreign parts (441 i., 463). In 1710

the Island had been plundered and the fort destroyed by the French. As beneficiaries under the will of Christopher Codrington, the petitioners represented that they had, at their joint expense, re-occupied and re-stocked the Island and rebuilt the fort. The original grant by Charles II had been for fifty years only. The Queen was now petitioned to make the grant permanent, in which case it was arranged that the Society should become possessors of one quarter of the Island. It is described as a nursery of horses and black cattle, and capable of being planted with cotton, ginger, *etc.*

Bermuda. Bermuda was mildly plagued by measles and a privateer (143). The appeal of the Secretary, Edward Jones, was dismissed, the Council of Trade representing him as unfit for H.M. service (212, 334).

Jamaica. French attack feared. The movements of the French fleets under Ducasse and Duguay-Trouin and preparations at Martinique caused uneasiness lest a descent upon Jamaica should be designed. A proposal for the reinforcement of the garrison was submitted by the planters and merchants (22, 22 i., p. 48).

Arrival of the new Governor. The new Governor, Lord Archibald Hamilton, arrived on 11th July, 1711 (18, 28). On the eve of relinquishing his government, General Handasyd had been obliged to dissolve the Assembly. They were pursuing the same tactics as those followed by the Assembly of New York.

Claims by the Assembly. On the one hand they quarrelled with the Council over the right of the latter to amend money bills, on the other hand they claimed the right to adjourn themselves (18). Upon the latter point Lord Archibald asked for a ruling by the Council of Trade (82). The Board replied that the Assembly being called and sitting by virtue of the authority of the Crown, vested in the Governor by Commission under the Broad Seal, could have no power to adjourn themselves without his leave, for longer than *de die in diem* (187).

Right to adjourn denied.

The new Assembly. The new Assembly, which Handasyd had summoned, was described by him as one which promised to be the least inclined to faction he had known. This result may have been due in part to the influence of the Councillors in the election. They had promised "their best endeavours that such persons should be chosen as should shew

their duty and loyalty to Her Majesty and their zeal for the good and welfare of this Island" (18). Their first session was amicable enough. The Act *for quieting possessions* was passed in the amended form required, and provision was made for the Regiment and support of Government for three months (82). Thanks were returned for the recent relief from the duties on prizes and prize goods by which privateering had been discouraged, and the cancelling of bonds entered into for the payment of such duties was requested (75, 124, 124 i., 345).

Unsatisfactory condition of the Island.

Lord Archibald found the Treasury empty, the accounts of public funds much in arrear, and the state of the fortifications "ill-contrived and out of repair." Government House and the public buildings were in a ruinous condition (82, 267). The amount of the annual expenditure was double that of the revenue. There was also a great scarcity of provisions (*p.* 204). The last deficiency was soon rectified by a plentiful harvest, and the arrival of supplies from Europe (345, 421, 423). The repair of the fortifications was at once taken in hand, and with the help of Capt. Hawkins, the Royal Engineer, a new fort at Port Morant was begun, and a new line of fortifications at Port Royal was undertaken. For this work stone had to be imported from England (82, 267, 423, 423 vii.). The deficiency of the revenue was made good for the time being by a vote of Assembly (267).

Returns and statistics.

Lord Archibald presently returned answers to the series of queries put to Governors of Plantations by the Board of Trade concerning the administration of the Colonies (345). Returns of imports and exports are given (267 i., ii., 423 viii.). But a return of births, christenings and burials it was found impossible to make, registers not being kept for reasons which throw a vivid light upon the conditions of life at that time (423).

Registers not kept.

Cartel refused.

As in the case of Barbados, a cartel with the French at St. Domingo for the exchange of prisoners was refused, and the refusal approved (82, 187, 267).

The appointment of Councillors.

It is noticeable as a matter of procedure that Lord Dartmouth consulted the Council of Trade before making an appointment to the Council of Jamaica. This was

in the case of two well known Jamaicans who had been recommended to him (108, 459). Lord Archibald urged the Board not to support any application of the kind without his knowledge and approval (*p.* 81).

The activities of the Jamaica Squadron have been indicated above (§ 1).

Leeward
Islands.
Governor
Douglas and
the murder
of Governor
Parke.

The new Governor of the Leeward Islands, Major Walter Douglas, arrived at Antigua on July 10th, 1711. His Instructions were to enquire into the circumstances of the murder of Governor Parke, to proclaim a general pardon and to arrest and send home for trial, if need be, half a dozen ringleaders of the rebellion. His first report emphasised the necessity of proceeding slowly and cautiously. The inhabitants were under arms. An invasion from Martinique was daily expected, and the island was on the verge of civil war. The minority of Loyalists, or supporters of Governor Parke, were terrorised by the majority of the Planters, who, banded together under the title of the " Association," had risen against him. With one solitary exception, every member of the Assembly had taken arms against Parke, and the feeling of the majority was demonstrated by their re-election. Col. Jones's regiment was on terms of friendly intimacy with the rebels, and their cause was supported by the active sympathy of the Commanders of H.M. ships upon the station. In these circumstances, Douglas decided to proceed with caution, " believing it were much the same thing to lose a thriving Colony to the publick enemy or by a civil war " (36, 81, 302, 305, 355). In view of the imminent danger of an attack by the

Defence of
islands.

French, he first applied himself to putting the islands into a state of defence, repairing fortifications, revising the discipline of the militia, and restoring order and discipline in Col. Jones' regiment (36, 39, 63, 194, 302). He had soon come to the conclusion that without naval and military forces upon which he could rely for support, it would be worse than useless to attempt to arrest any of the ringleaders amongst the inhabitants. " Upon the least motion I should make to apprehend any of the planters," he writes to Lord Dartmouth's Secretary, " the Island would be in an Insurrection, and the Loyalists

Rebels and
Loyalists.

H.M.
regiment.

Arrest of
officers.

Lt.-General
Hamilton
suspended.

being the weakest, exposed to certain ruin and destruction" (81, 302, 305). He set himself, therefore, to divide the leaders of the Association, and at the same time to select and discipline about 200 men of the Queen's regiment who should obey him in any action he might take. He arrested and sent home three officers of that regiment who had taken part in the rebellion, to be tried for high treason (63, 81, 160, 225, 302 iv., 305). His next step was to suspend Walter Hamilton, the Lt. General of the Islands, whom he describes as an enemy of all chief Governors and an aider and abettor of the rebels both before and after the murder of Governor Parke.

The grounds for this action are given in addresses by the Councils of St. Kitts and Antigua (302 i.-iii., vi.) and evidence (154 ii.-vii.).

Question of
the Lt.
General's
membership
of Councils.

Hamilton had obtained leave to return home, but on his voyage was taken prisoner by the French (332, 422). In relation to his position as Lt. General of the Leeward Islands, a constitutional question had been raised and settled. Doubts were raised by the Lt. Governor of Antigua as to whether the Lt. General, by virtue of his office, was entitled to sit in and preside over the Councils of the several Islands. It was decided that he was (26, 36, 195, 226).

Five
ringleaders
arrested and
sent home.

As soon as Douglas felt that his position was sufficiently secure, he published the Royal Proclamation of a general pardon with a few exceptions, and caused five of the ringleaders of the rebellion to be arrested (279, 302, 350, 355). One of them, Thomas Kerby, who had fled to Barbados, was there seized in Codrington's house (318). Both in Barbados and the Leeward Islands the Commanders of H.M. ships objected to taking orders from the Governors to convey the prisoners home for trial (63, 81, 318, 355).

Dissatis-
faction with
Douglas'
measures.

In the mean time the relatives and executors of Governor Parke had grown impatient at the delay in punishing his murderers. Upon their petition, enquiry was ordered to be made as to how far Governor Douglas had carried out his instructions (225, 260). The dissatisfaction and disappointment felt by the supporters of

Parke in Antigua are expressed in two letters, in which the complaint is made that after a show of coming firmness, "the mountain produced a mole," and Douglas is plainly charged with blackmail. He compelled, it is said, those who had been implicated in the murder of the Governor, to purchase immunity according to their means, extracting £1600 from one and a cow from another, and amassing a fortune thereby "fitter for a noble than a brevet major" (350, 355). It is, of course, possible that, whilst Douglas' estimate of the situation was correct and his procedure wise, he made use of the occasion at once to frighten and punish the rebels and to feather his own nest.

Blackmail
alleged.

Drought in
Antigua.

Defence of
the islands.

St. Kitts.

Census of
St. Kitts.

Dutch at
Eustatia.

The grant
in aid of
Nevis and
St. Kitts.

In addition to intestine political troubles and dread of invasion, Antigua was suffering from the effects of a severe drought (36, 39, 355), which extended to Nevis (313). We have further accounts of Capt. Bourn's action in defence of Antigua and Montserrat (30, 39). Another attack upon Montserrat was expected (194). Douglas spent some time in regulating the affairs, reviewing the militia and organising the defence of the four Islands. He encouraged the settlement of the former French parts of St. Kitts, and restored the routine of the Courts and administration which had been allowed to lapse (194). Robert Cunynghame, an ex-speaker of Assembly, whom he describes as "a turbulent disturber of the Assembly," was imprisoned under his warrant. Cunynghame appealed against the Governor's arbitrary exercise of power (194, 392, 392 i., ii.). Returns from St. Kitts were hampered by the destruction of records by the late invasion and the great hurricane, but a census is given (65, 65 iii.).

Douglas complained of the action of the Dutch at St. Eustatia and St. Martin's in harbouring deserters and asked permission to make reprisals (194). He announced the passing of several useful bills at Antigua and St. Kitts (36, 194).

In distributing debentures to sufferers in pursuance of the grant in aid of Nevis and St. Kitts, it was found necessary to have a clear interpretation of the meaning of "resettlement" required in the clause of the Act (102-104, 137, 179, 201, 213, 368 i., 397 i.).

Stores of
war
requested.

The correspondence upon Douglas' request for stores of war and more frigates for the defence of the Islands has been referred to above (63, 69, 194, 194 ii., v. p. xv.).

Virgin
Islands.

Capt. Walton renewed his application for permission to settle the Virgin Islands (86, 316, 316 i.).

Newfound-
land.
Capt.
Crowe's
report.

Commodore Crowe's replies to the usual heads of enquiry relating to the Newfoundland Fishery were returned in October, 1711. He commended the industry of the Lt. Governor, John Collins, who had succeeded in repairing to some extent the fort of St. Johns. He himself had organised the inhabitants for defence, and it was hoped that they would be able to stand secure that winter. But for the future he recommended the appointment of a resident Governor and the establishment of a garrison of 200 men, 150 of whom should be at St. Johns, as the more convenient harbour, and 50 at Ferryland. The reduction of Placentia would be the surest as well as the cheapest method of rendering the Island secure and prosperous (10, 11, 149, 149 ii.). Col. Lilly, the engineer, stated his views upon the fortifications required (330 i.). Crowe corrected several abuses in connection with the Fishery. The Fishing Admirals, it was found, neglected the duties entrusted to them, having "so much business of their own that they cannot find time to do justice for others." The inhabitants and fishermen therefore turned to the Commodore and Captains of men of war for the settlement of their disputes. A list of the regulations for the better ordering of the settlement and fishery, made by Capt. Crowe after consultation with the chief inhabitants and Captains of merchant ships, is given, as well as the price and quantity of fish caught during the season (149 ii.-iv.). The strength of Placentia and Quebec is described (149 ii., v.).

Failure of
Fishing
Admirals.

Placentia.

The fate of the intended Expedition against Placentia has been seen (§ 1). The possession of that stronghold was destined to be won not by direct assault but by the arms of Marlborough in the West.

Sole right
to the
fishery
demanded.

The policy of acquiring the whole of Newfoundland and the sole right of the fishery at the Peace Negotiations was pressed by those most nearly concerned (234, 373 i., 388 i., and see § 1).

Some indication of the traditional as well as the modern pronunciation of Newfoundland is afforded by the spelling in these documents. In one place it is Newf'nland ; in another New-found-land. Quebec, (*p.* 92), again, is sometimes spelt Quibec, sometimes Queebec, which is the local pronunciation at the present time.

CECIL HEADLAM.

July, 1925.

The documents calendared in the following pages are included in the volumes of the Colonial Office Records preserved at the Public Record Office and listed as follows :—

C.O. 5, 9 ; 5, 10 ; 5, 11 ; 5, 290 ; 5, 306 ; 5, 308 ; 5, 382 ; 5, 717 ; 5, 720 ; 5, 727 ; 5, 751 ; 5, 848 ; 5, 865 ; 5, 866 ; 5, 898 ; 5, 913 ; 5, 970 ; 5, 995 ; 5, 1050 ; 5, 1084 ; 5, 1085 ; 5, 1091 ; 5, 1122 ; 5, 1123 ; 5, 1264 ; 5, 1265 ; 5, 1292 ; 5, 1316 ; 5, 1335 ; 5, 1337 ; 5, 1341 ; 5, 1363 ; 28, 13 ; 28, 14 ; 28, 43 ; 29, 12 ; 29, 13 ; 37, 9 ; 37, 28 ; 38, 7 ; 42, 13 ; 116, 21 ; 134, 2 ; 135, 3 ; 137, 9 ; 137, 10 ; 137, 46 ; 137, 51 ; 138, 13 ; 152, 9 ; 152, 39 ; 152, 42 ; 153, 11 ; 153, 12 ; 166, 1 ; 194, 5 ; 195, 6 ; 194, 23 ; 194, 24 ; 195, 5 ; 195, 6 ; 217, 1 ; 217, 31 ; 218, 1 ; 318, 3 ; 323, 7 ; 324, 9 ; 324, 10 ; 324, 32 ; 388, 15 ; 388, 76 ; 389, 22 ; 389, 37.

NOTE. *etc.* printed in italics in the course of the text indicates that matter merely repeated or of no importance is there omitted. Words printed in italics between square brackets [*thus*] are suggestions by the Editor in places where the MS. is rubbed or torn.

The reference "A.P.C." is to the Acts of the Privy Council, Colonial Series.

COLONIAL PAPERS.

JULY, 1711.

1711.
July 2.
Whitehall. **1.** Mr. Popple to Mr. Lowndes. In reply to June 28, encloses papers relating to the Palatines settled at New York. Requests 50 copies of each of the Acts mentioned June 27. [*C.O.* 5, 1122. *p.* 395.]
- July 2.
Admiralty
Office. **2.** Mr. Burchett to Mr. Popple. In reply to June 29, encloses following. *Signed*, J. Burchett. *Endorsed*, Recd., Read 3rd July, 1711. *Addressed*. 1 *p.* *Enclosed*,
2. i. List of H. M. ships and vessels attending on the Governmts. in America. *Defyance*, *Salisbury*, *Salisbury* prize, *Jersey*, *Weymouth*, *Windsor*, *Nonsuch*, *Medway* prize, *Jamaica* sloop, *Tryall*, at Jamaica. *Burlington*, *Panther*, *Experiment*, at Barbados. *Diamond*, Leeward Islands. *Lowestoffe*, *Feversham*, New York. *Chester*, New England. *Enterprize*, *Trytons* prize, Virginia. *Shoreham*, *Hector*, going to New York. 1 *p.* [*C.O.* 323, 7. Nos. 14, 14 i.; and 324, 9. *pp.* 482, 483.]
- July 5.
Whitehall. **3.** Address of the Governor, Council and Assembly of the Massachusetts Bay, to the Queen. Duplicate of Address from New Hampshire, July 22 *q.v.* *Signed*, J. Dudley, Isa. Addington, Secry., By order of the Council, and John Burrill, Speaker, By order of the Representatives. 1 *p.* [*C.O.* 5, 10. No. 140.]
- July 5.
Whitehall. **4.** Mr. Popple to Mr. Attorney and Mr. Solicitor General. Requests an answer as soon as possible to letter of Jan. 3rd *q.v.* [*C.O.* 29, 12. *pp.* 354, 355.]
- July 5.
Whitehall. **5.** Mr. Popple to Mr. Attorney General. Requests a reply to April 27 on Wait Winthrop's petition. [*C.O.* 5, 913. *pp.* 336, 337.]
- July 6. **6.** Minutes of Assembly of N. Hampshire, June 15–July 6, 1711. *Endorsed*, Recd. from Mr. Newman. Feb. 7, 17¹¹/₂. 3 *pp.* [*C.O.* 5, 865. Nos. 75–77.]
- July 7.
Custom House,
Bristol. **7.** Bristol Custom-house Officers to the Council of Trade and Plantations. *Enclose following*. *Signed*, J. Reynardson, Jno. Elbridge. *Endorsed*, Recd. 9th, Read 11th July, 1711. *Postmark*. *Addressed*. 1 *p.* *Enclosed*,

1711.

7. i. List of fishing ships (7) cleared from Bristol to the Newfoundland fishery June 24, 1710-1711, with $\frac{1}{5}$ th of the crew landmen that never were at sea before, in accordance with the Act 10 and 11 of Wm. III. 2 pp. [C.O. 194, 5. Nos. 6, 6 i. ; and (without enclosure) 195, 5. pp. 231, 232.]

July 9.
Hamsted.

8. Mr. Richier to Mr. Popple. In reply to yours, we have as yet recd. no letters from ye Jersies, but I have writ to Mr. Dockminique, ye President of our Society, who will wait upon ye Lords Commrs. Wtt. we have to offer lies in a narrow compass. We have formerly complain'd (and not without very great cause) against those 4 men in ye Council (vizt. Cox, Sunmans, Hall and Pinhorn, and agt. Jeremiah Bass, Secretary, and ye late Representation of ye Assembly has justified our complaint. I shall not wonder if Dockwrey become an advocate for ym., because they have been his tooles to act such things for his private advantage, to ye great wrong of those who intrusted him, etc. As to his character we must refer to a memoriall etc. left some years since at yr. Board. *Signed*, Edw. Richier. *Endorsed*, Recd. 10th., Read 11th., July, 1711. *Addressed*. *Sealed*. $\frac{3}{4}$ p. [C.O. 5, 970. No. 150.]

July 10.
Windsor
Castle.

9. H. M. Warrant granting to Thomas Day a piece of land in Bermuda, whereon his brother, Samuel Day, had built a house when Governor there. The Governor is to recommend to the Assembly that the house built by him on the said piece of ground be bought by them for £200 for the use of the Governor for the time being. But if the house be not so purchased, the Governor is to issue a warrant as aforesaid. *Countersigned*, Oxford. *Endorsed*, Recd. Read July 26, 1711. 2 pp. [C.O. 37, 9. No. 19 ; and 38, 7. pp. 16-19.]

July 10.
Admiralty
Office.

10. Mr. Burchett to Mr. Popple. Capt. Crow of the *Warspight*, who will command H.M. ships at Newfoundland, acquaints me that in the heads of enquiry from the Council of Trade and Plantations there are several clauses which require penaltys to be inflicted, either by seizures or forfeitures, but that those forfeitures not being inserted, he desires to know how hee shall govern himselfe therein, etc. *Signed*, J. Burchett. *Endorsed*, Recd. Read July 11, 1711. *Addressed*. 1 p. [C.O. 194, 5. No. 7 ; and 195, 5. p. 232.]

July 11.
Whitehal.

11. Mr. Popple to Mr. Burchett. *Reply to preceding*. The Council of Trade and Plantations command me to acquaint you that there is no mention of any penaltys in the Act to encourage the trade to Newfoundland, neither is there any in the Heads of Enquiry, and therefore the Commodore is directed upon his arrival in Newfoundland to take care as far as in him lyes, that the most effectual method be taken for remedying several irregularities that stil continue to be practis'd in those parts, and that others formerly complain'd of be not again practis'd. [C.O. 195, 5. p. 233.]

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July 11. Windsor. **12.** H.M. Warrant to John Rayner, Attorney General of New York, extending his leave of absence for 12 months. *Coun- tersigned*, Dartmouth. [C.O. 324, 32. pp. 99, 100.]
- July 12. Whitehal. **13.** Council of Trade and Plantations to the Queen. We have no objection why your Majesty may not approve Edward Hyde as Governor of North Carolina *etc.* (v. June 14), provided he qualify himself as the law requires and give good security for his observance of the Acts of Trade and Navigation *etc.* The security usually given by the Governors of other Proprieties is in a bond of £2000 ster., but in regards the trade in that part is inconsiderable, we humbly offer that the security to be given by him be in a bond of £1000 sterling. [C.O. 5, 1292. pp. 313-315.]
- July 13. **14.** Mr. Dockwra to Mr. Popple. *In reply to enquiry of July 5, explains that delay in receiving the second packet from New Jersey, of which he had received advice (v. enclosed), was due to the death at sea of Mr. Read who had been entrusted with it at New York, etc. Continues:—*I have been ill and confined to my bed. I have in some intervals of my ills read over some of the many New Jersey Papers lying with me, and taken from some of the last letters an abstract of some such transactions as are so very extraordinary, and that come from one of my friends, an honest South Brittain, and obedient son of the Church, who is no insinuating hypocrite, but a man of probity, and the noble Lords and Honble. Gentle- men at the boord may depend upon the truth of what future reports and representations will appear transmitted by the same good hand, and two or three more of like character, *etc. etc.* Signed, Wm. Dockwra. *Endorsed*, Recd. July 13, Read Nov. 7, 1711. *Addressed. Sealed. 2½ pp. Enclosed,*
14. i. Extract of a letter to Mr. Dockwra in London from a Member of Council in New Jersey by Capt. Ball in the Bristoll Packet-boat, recd. June 14. My last two letters were by our good friend Col. Nicholson, and by Mr. Norton, to which narratives I referre you of our new Governour's surprising beginnings, falling in with the seditious faction of turbulent men, whose cheif ring- leader has in his whole life time been Lewis Morris. The Assembly mett Dec. 4, *etc.* Mr. Sonmans will send over coppies of the Acts past, and of such as the Councill rejected, by which will be plainly perceived what our pollititians attempted to compass by the countenance and encouragement of H. E., who notwithstanding his repeated professions of his impartiallity and desire of peace and union, has entirely and passionately espoused the seditious party of Morris, Johnstone *etc.*, and united with the Quakers; and little has been transacted during the sitting of the Assembly without his previous know- ledge and connivance. His Cabinet Councill has been and is Lewis Morris, George Clark, John Johnstone, late Capt. now Coll. Farmer, Thomas Gordon, Tho. Gardiner, a Quaker, and Geo. Willokes, the three first chiefest

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managers. They began with entring into a strict league with the Quakers, and drew up and presented their Address, by which it is evident they act by the same principles and moved by the same spirit as formerly. And the Earl of Clarendon though absent and out of their reach, must be attacked, in order to open the way to ruin his friends. H.M. Councill of State was seldome consulted except about passing of Bills. The Gentlemen of the Councill might have taken just exception to the contents of their Address, but wee forbore, that the Governor might see wee were willing to joyn with him in accomplishing the great work of peace and union which he pretended to be so desirous of, how really the event will shew. Wee presented our Address to H.E. by which you will see our principles are the same as ever, and that wee did avoid whatever might look to be entring into the list of controversy. Our address was extreemly opposed by Mr. Morris, Tho. Gordon, George Deacon, and Thomas Gardiner, neither of whome would sign it, for what reason I never could learn, except that the first of those had not the penning it with reflections on the Lord Clarendon's Administration. But our peaceable address disappointed them extreemly; for they could from thence gather no matter for a quarrell with us, which wee found, they earnestly desired. They then fell on new measures, which were, to pass some bills, which they knew wee must reject; accordingly a bill *for recording of deeds in the severall counties*; another *for destroying prosecutions by informations*, and a third *for quallifying Quakers to serve on all juries, give evidence in criminall causes*, and a third, *for quallifying Quakers to serve on all juries, give evidence in criminal causes, and hold and enjoy offices of profit and trust in the Government*, which were accordingly sent up to us. The first took away the only valuable perquisite belonging to the Secretaries office, and was directly contrary to his patent, and indeed impracticable, the Clerks of many counties being scarce able to write, and having no particular offices, and on other accots. most incapeable of such a trust. It was moreover proved, that the records of severall counties have been lost or embezzled by the negligence or roguery of the clerks. The second was directly contrary to the Acts of Trade and Navigation, and indeed the prerogative of the Crown—but you have too well known what vallue this factious crew have ever had for that. The last bill was such a monster, that every part of it was terrible. It unhinged our very constitution of Government, was directly contrary to the 7th and 8th K. William, a great encouragement of Quakerism, or rather its establishment, at least in this Province; and of the most pernicious consequence to the Church of England. The Quakers in the Councill, and their two fast friends,

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Morris and Gordon, attempted the passing that with mighty warmth ; the Governor himself extremely press'd the same, at least the committing it, for fear of angering the Assembly, or putting them as was the pretence, out of humour. But we considered, if it was committed some trick or other might be used to pass it, so we resolved to reject it on the second reading, which being done and the Quakers disappointed of their Magna Charta, as it was termed, and indeed the very darling of their souls, and no doubt part of the prize promised them by Morris *etc.*, they grew angry ; on which Doctor Johnstone reported from a Committee of the whole House, that notwithstanding it was of the utmost consequence to the Proprietors and inhabitants of this Province, that a Bill should be brought in for settling their rights to their lands, yet it was to no purpose to do it at this time, because there was no likelihood that the Council would pass it. This was designed to throw a slur on the Council and to imprint an ill opinion of them in the minds of the ignorant, unthinking multitude, as men who opposed anything that was of benefit and advantage to them. He reported likewise that they had passed a Bill in that House conformable to H.M. injunctions in relation to the ease of the people called Quakers, but that the Council without committing it had rejected it, designing thereby to magnifie their obedience, and our disobedience to H.M. instructions, when the case is really thus, H.M. orders her Governor to take care that, in order to the ease of the Quakers in what they conceive to be matter of conscience, so far as may be consistent with good order and Government, an act be passed in the Genl. Assembly to the like effect as that passed in England for the *solemn affirmation of Quakers etc.* Now this Act of theirs being directly contrary to what the Queen recommends, and to the abovementioned Acts of Parliament, mankind must wonder how any set of men could have assurance enough to make so false and scandalous a report *etc.* They resolved also to have a new clerk to their Assembly, presuming that Mr. Pinhorne being formerly of the Earl of Clarendon's appointment, would not be a tool to them ; they address the Govr. agt. him, and though everything they alleged was false in fact, or no crime, yet the Governor appointed one Bradford the Printer at New York in his room, who had been waiting in this town about a week before in expectation of that place. Thus you will plainly perceive N. York and the Party supply N. Jersey with instruments requisite to accomplish its destruction. And having in this been successfull, they next attack the Secretary and Clerk of the Council, Mr. Basse, first by complaints, afterwards with petitions and addresses (*v.* May 7).

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The Councill finding so great an inconvenience in the loss of one honest man, the Clerk of the Assembly, and understanding Mr. Farmer was designed to succeed Mr. Basse if they could remove him, resolved, if possible, to prevent that, therefore by advice of Col. Quarry, they drew up an address to the Governor in the Secretaries behalf, which I believe broke their measures by the unpleasant answer the Councill recieved, which, together with the Address, the Governor ordered to be enter'd in the Minutes, and therein condemning Mr. Bass, as if positive proof agt. him, tho' at that time he was intirely a stranger to the particulars of the charge, having had no sight of it, much less required to answer it. Mr. Birchfield having suspended Mr. (now called Collonel) Farmer for severall misdemeanors in his office of Collector of Amboy, though the Governor made interest to keep him in, it was resolved by the faction, that Gentleman should be recompenced with the Secretaries Office. It is reported that H.E. sends over the charge agt. Mr. Basse to Brittain, and recommends Mr. Farmer in his place ; I hope you and all our friends will at least endeavour to prevent that party man being topt upon us, or any of that party, which would be equally mischievous. Mr. Willokes was all this while busy in drawing complaints against Mr. Sonmans, which were much of the same nature, with those in my Lord Lovelace's time, with this addition, that at the Midlesex election he clapt his hand behind, declaring agt. a North Brittain Government, which was urged as a designed affront agt. H.E. and all of that Nation, but Mr. Sonmans answered all very largely (*v.* May 7). Mr. Hall of Salem was at the same time addrest agt. by the Assembly for making a wrong taxation of a bill of costs and selling a servant of his, whome they alleged was then a prisoner, but he presented the Governor with an answer in writing, as was thought to his satisfaction ; however it did not prevent his being turned out from being chief Judge of the place, and since the Grand Jury have found an indictment agt. Benja. Wright of Philadelphia for taking a false oath against Mr. Hall about the servant. You may be informed, that Mr. Hall being a reputed Quaker, that Party depended on him for their tool, and he was at first highly caressed by the Governor who (as Mr. Hall affirmed to me and most of the Councill) told him as a secrett that he had resolved in a month's time to have settled the Governmt. in another manner than it was, had not the surprizing alteration of the Ministry in Great Brittain intervened. However Mr. Hall could not be prevailed with to joyn with Morris, Johnstone *etc.*, but vigorously opposed their proceedings both in and out of Councill,—the Quakers have now given him a surfeit, so that he went con-

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stantly to Church during his stay in this town ; and some talk as if that was the chief reason why he was removed from being Judge, and one Middleton, a Quaker (who came into the country in such a poor condition, he was forced to sell himself a servant to pay for his passage) appointed Judge instead of Mr. Hall. The Assembly could now no longer dissemble their designs, but at once pluckt off the mask by falling on Major Sandford, a Representative for the County of Bergen, because he had formerly, when of H.M. Council, joyned with the Lt. Governor and seaven more of that body in signeing an Address to H.M. agt. the proceedings of the Assembly in vindication of Earl Clarendon, for this they expelled him the House, making at the same time a vote, that that Address was false, scandalous, *etc.*, and that no Member of H.M. Council that signed it should be ever capeable of sitting in that House, till he had publickly acknowledged his fault in so doing. Major Sandford was afterwards elected a Representative a second time for the same County, not one opposing him, with a present of money to bear his charges, and a declaration that if they refused to admit him or expelled him again, he should be as often chosen ; the Sheriff returned the writt, but the House would not admitt him. Mr. Mott, one of the Representatives for Monmouth County, a Gentleman who warmly opposed their extravagant proceedings, was in like manner expelled the House because he and Mr. Lawrence had formerly petitioned the Governor and Council to have some reasons about the Bill for the Canada Expedition, which they had presented to Col. Nicholson, enter'd into the Journall, though the true reason was his dissenting from them ; he soon after was returned again by the County with a genll. concurrence, but not allowed by the Assembly to sitt, some in the House declaring it was impudence in the county to return any man they had expelled. Mr. Trotwell was the next they designed for the same fate with Major Sandford and Mr. Mott ; but what they had done in relation to those two members had so incenced the counties for which they were chosen, with the generality of the Province (that were not Quakers) that it was thought adviseable to proceed no further in expulsions. From the time the Council rejected the three Bills abovementioned there was a whispering that shortly something would appear so frightfully to severall of the Council as to oblige them to abandon the Province, and then it would be in the Govr's. power to appoint a number of new Counsellors, sufficient to carry all things as they had projected, this was a Bill enacting thatt all the statutes agt. Bankrupts made in England should be in force in this Province. And it was past and

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sent up, where, after long debates and reasonings it was found the most pernicious bill imaginable; for besides that Mr. Edward Billing, and Mr. John Fenwick, under whome all persons in West Jersey held their lands, so that no man could be secure of his estate, but the credrs. of those two gentlemen might come and take from us our settlements, and hundreds of the inhabitants have purchased lands of other Proprietors who are likewise bankrupts; so that to pass such a bill were to depopulate and ruin the Province. But there will be many other unanswerable reasons shown why such a destructive bill ought not to pass and wee doubt not to satisfie H.M. and the Honble. Comrs. of the Board of Trade and Planta. why some other Bills were refused, hoping in few days more to recover the packet sent over by Peter Sonmans from the Councill in N. Jersey, which by the death of the Gentleman to whose hands it was intrusted to be delivered to Mr. Dockwra, the Proprietors' Secretary, has occasioned this loss of time. Another Bill is passed for support of H.M. Government to the vallue of £944 and £300 for the Assembly for one year, new currency; and the same for the next year if the Governor shall continue so long among us. But in case he should die, or be recalled before that time, then he or his excers. and the other officers of the Government are to recieve their salary only to the time of his death or removall, and what remains is to be lodged in the Treasurer's hands to be disposed of by Act of Generall Assembly; which is contrived to make all Governors and other officers tools to the Assembly, or else they shall have no salaries, for, say they, wee know not who may be Govr. next, perhaps one that is no friend to the Quakers and Dr. Johnstone *etc.*, whether this can be called a Revenue, or something else, I care not to name, but you will easily judge. The Governor assured the Assembly that Col. Morris was Presidt. of H.M. Councill by her particular letter; and they soon after order'd all their bills to be delivered to Mr. Morris as President, who brought them afterwards to the Governor, this was opposed by the majority of the Councill but to no purpose, the Governor declaring the Assembly must be humoured. Indeed the greatest care imaginable was taken not to displease them, but to allow them their head in everything. As for the Councill, as little regard was had for them (except Morris, Gordon, Gardiner, and Deacon) as possible, nay less than during my Lord Lovelace's administration; howsoever, notwithstanding all the affronts wee met with, all the hardship wee lay under, wee lost not a jot of our courage, but did what was our duty to our Queen and Country here. It is true the Quakers and their adhærents in the Assembly revile us, but the greater part of the country thank and

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commend us, and wee are not out of hopes of H.M. countenance and protection, for without it wee must all be crusht, and sink under the weight of a Quaker-arbitrary Assembly, than which nothing can be more intolerable to English men, and true members of the Church of England by law established. Mr. Gardiner is to be our Surveyor Generall, if he is not already. Mr. Gordon is Deputy Treasurer under Johnston, Billop, and Bradford. Billop has a commission to be Escheator Generall. Capt. Farmer is made a Collonel and Judge of the Pleas in Middlesex and Somersett, in the room of Mr. Sonmans, where there is likewise an intire new sett of Justices. Col. Pinhorne is removed from being Judge in Bergen, and Herry Morris in his place. Capt. Bown is out in Monmouth, and Col. Morris first judge in his stead. Dr. Johnstone is second Judge. Major Spicer, who went on the expedition to Canada, is superseded by Justice Tomlinson in Gloster County, and one Townsend a Quaker made Judge in Cape May County. In short the greatest part of those put in by Earl Clarendon and Col. Ingoldesby are turned out of commission, and severall Quakers, and men recommended by Quakers, put in. Col. Townley is lately dead, in whome the honest part of the Council have sustained a great loss. Col. Huddy is no more my Lt. Col., he is so uneasy at a prosecution order'd agt. him for a monopoly on account of the patent E. of Clarendon granted him about setting up his invention of carriages for conveying goods through the Province, that I believe, if it is not speedily stopt, he will leave the Province, which I should heartily regret, he having been at a vast expence in bringing matters to such a perfection. As to myself, I have dropt some words since the rising of the Assembly, as if I designed for Brittain, which has occasioned not a little uneasiness to some people. The evening before the Assembly was prorogued, they delivered the Governor a representation of the State of the Province, (as they call it) containing 32 pages close writt, penn'd by Col. Morris and the non-juror, George Willokes; Dr. Johnstone read it to him, the Assembly and severall other people being present, but not one of the Councill except Mr. Morris; and as I am told by some of the Assembly, his answer was he would represent matters to the Queen, and doubted not but she would take such measures as would give a genll. satisfaction. It contains (as some honest Assembly Anti-Quakers assure me) the most scandalous and villainous reflections on the Earl of Clarendon and his Ldp.'s administration that could be invented, so bad, they avoided nameing many of them. Severall pages are writt agt. his Ldp., and Col. Ingoldesby is likewise miserably traduced, and the late Chief Justice Mompes-

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son, Col. Pinhorne, Townley and Huddy, Mr. Sonmans, Mr. Hall and myself, if you'll believe 'em, are some of the worst of men. Two hundred coppies I hear have been printed, but since the news of the happy change of the Ministry and the good agreemt. betwixt H.M. and the Parliament, they were ordered out of Bradford, the Printer's hands, and I understand wee here are not like to have a sight of them. It is talkt abroad, as if something like scandalum magnatum against his Lordship in that Representation had terribly scared some people; and I believe the fear of that, joined with the change of the Ministry *etc.* keep it so private; some here are of opinion it will be sent for Great Britain by the Governor to some of his friends, if not more publickly; the first part I believe, though scarce the last: yet nobody doubts but Col. Morris and Dr. Johnstone will send coppies to Sir Wm. Ashurst, Micaiah Perry, my Lady Lovelace, and the Jersey Society. I just now hear a report (but how well-grounded I know not) that what concerns the Lord Clarendon is to be omitted, and the remainder agt. Col. Ingoldesby, and the Councill to be exposed. I cannot forbear mentioning one thing more, which a gentleman assures me to be true, and is as great a piece of knavery as can be imagined. The Assembly in their Representation say, that when Col. Quarry signed that Address (meaning that agt. Morris, Jennings *etc.*) wee believe he was misled, and depended too much on the credit of others; for he has since (they say) very much declined from joyning with them, in many of their hott and rash humours, and doth at present behave himself like a man, that doth intend the service of the Queen and the good of the country. This was to make the Councill suspicious of Col. Quarry, and to compliment him out of his design of exposing their proceedings at home. Col. Quarry thinks himself highly affronted and injured on this occasion, their intentions (as he imagins) being to make him both knave and fool, and he has often declared to me, this Assembly was one of the worst he ever knew; that, as far as he could percieve, there was nothing so bad but they would attempt, if they thought it would injure any of the Councill that were not their tools, declaring he was sick of them, and resolved never to see 'em again. Mr. Sonmans has lately procured some heads of this famous Representation, which he will transmitt to you; what I have seen are intirely false, or miserably misrepresented. Judge Mompesson is turned out, and one Jemmison, a North Brittain, who lives at N. York is Chief Justice in his stead in this Colony of N. Jersey; the man and his morals are too well known. Mr. Regnier in imitation of the Assembly forbears not according to his usuall custome to make out writts

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agt. the Gentlemen of the Councill ; and but a few dayes since sent one to the Sheriffe of this county to arrest Mr. Huddy for £20, which he pretends is due to one Gomez a Jew in N. York, though in November term he had filed a declaration agt. him for the very same money, and Mr. Huddy had put in his plea to it ; and wee are told by some people that the Gentlemen of the Councill have no privilege at all tho' an Assemblyman or an attorney of the Court has. Col. Morris is made second Judge of the Supream Court, and Thomas Gardiner and George Deacon both Quakers, Assistant Judges. The Governor of Pensylvania having passed an Act of Assembly, whereby a solemn protestation is to be taken (the name of God being omitted) instead of the solemn affirmation appointed by Act of Parliament, has occasioned Addresses from severall of the Ministers and Vestrys in that Colony to the Queen agt. passing yt. Bill, and our Minister and Vestry of Burlington have done the same. Wee are now in a much worse condition than if immediately under the Governmt. of N. York, for most of our officers live in, and belong to that Province, yet wee must pay them. Mr. Morris, the President of our Councill, who is also Judge of the Pleas in the County of Monmouth, lives an inhabitant of New York. Our Chief Justice, who has not one farthing interest in the whole Province, our Reciever Generall, our Treasurer and their securities, our Escheator Generall, Mr. Joseph Billop, who has likewise no manner of estate here ; our Auditor Generall the like ; and Col. Farmer the Judge of this county, Dr Johnstone, second Judge of Monmouth County ; Bradford, the Clerk and Printer of the Assembly, all live in New York Government ; and, of those that reside in the Province, all the North Brittaines that can be found, though never so scandalous, are preferred, and next to them the Quakers ; so that the few tolerable officers will not act, or be concerned with them. You will by this easily percieve the miserable condition of this poor Province, how far wee are from being reconciled or agreed, and I see no prospect of amendmt. while the Governor of New York is Governor of New Jersey, and wee labour under the dead weight of the Quakers. Now, if the Councill was purged of Mr. Morris, who has ever been Ringleader of the seditious, Mr. Deacon, Mr. Gordon and Mr. Gardiner, and the Quakers kept close to the indulgence the Laws allow them, but not permitted to bear any offices, much less to sit either in Councill or Assembly, and then the vacancies in the Councill filled up with honest, well-meaning men, such as John Bown, Cornelius Longfield, and Charles Duncan for the Eastern ; and Danish Leeds, Jacob Spicer *etc.* for the Western Division, I believe this Province might be easily settled. But if the two

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vacancies now in the Council, vizt. Major Sandford and Col. Townley are supplied with Quakers or others of the confederacy in their interest, as at the last time, and such I have no doubt the Governor will recommend, I doubt the country will be ruined. *Endorsed, Recd. July 13, Read Nov. 7, 1711. 8½ pp. [C.O. 5, 970. Nos. 149, 149 i.; and (without enclosure) 5, 995. pp. 153-155.]*

July 13.
Antigua.

15. Lt. Governor Hamilton to the Council of Trade and Plantations. *Acknowledges* duplicate of March 16 by Governor Douglas, "who arrived here on Sunday last being the 8th instant, by which your Lordships seem to charge me with neglect in not sending home an express immediately to give an account of the death of the late Generall, of which I hope I have cleared myself before H.E. in Council, as your Lordships may perceive by the inclosed coppies of the Minutes taken from the Council Book, to which I referr, as I do likewise to the Minutes both of the Generall and private Council of all my conduct and proceedings since my having had the honour to be at the head of this so disjointed a Government, and do hope that upon the strictest examination, I have with honour discharged my duty (in the most difficult of times) to her most sacred Majesty, the generall preservation of the Islands and mutuall satisfaction of most of the inhabitants, but it is my hard fate and for these eight years past I have constantly had the misfortune to come at the head of the most disordered and ruptured Governements that ever were. First to that of St. Christophers in 1703, some time after the French part was delivered me, which Island afterwards in 170 $\frac{5}{8}$ I preserved for H.M. and defended it with onely 470 men good and bad, of which but 60 were regular troops, the rest all militia, against 3200 effective men under the command of Monsieur Le Chevalier de Chavaniat, and after the takeing of Nevis I was removed to that Island when a great many of the inhabitants were dayly deserting the place I prevailed with the wavering part to stay and gave all the incouragement imaginable for others to returne, which most of them did, which with H.M. benevolence and encouragemt. has put the Island (God be praised) in a very flourishing condition againe, and will I hope now in a little time by what the Parliament have so generously given H.M. for the releife and resettling the people of that Island, and St. Christophers put them in a way to improve their severall plantations, so that in a little time they will encrease the revenue of the Crowne to what it was before those Islands were destroyed, for the people seem to be much more industrious now then they were before their misfortunes. And lastly I came at the head of a most distracted Governemt. throughout all the Islands, and have been ever since harrassed from place to place, as your Lordship has from time to time observed by my severall letters, all which and the great expences I have been at the hazard I have constantly undergone with the great losses I did sustaine both in Nevis and St. Christophers with the long service and faithfull discharge of

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my duty gave me some hopes of H.M. favour to have obtained and continued at the head of this Governemt., but since the Royall pleasure is otherwise I do readily submitt, *etc.* P.S. The originall of your Lordpps.' letter never came to my hands, so have not the order you mention therein. *Signed*, W. Hamilton. *Endorsed*, Recd. 10th, Read 12th Sept., 1711. 2 pp. *Enclosed*,

15. i. Minutes of Council of Antigua, Jan. 26, 1711, showing that the Lt. General Hamilton, proposed, the Assembly agreed, but the Council refused to hire a vessel to take the news of Governor Parke's death to England. *Endorsed as preceding. Copy.* 2 pp. [C.O. 152, 9. Nos. 77, 77 i.; and (without enclosure) 153, 11. pp. 367-370.]

July 13.
Antigua.

16. Lt. General Hamilton to Lord Dartmouth. *Duplicate of preceding letter.* [C.O. 152, 42. No. 68.]

July 15.
Virginia.

17. Lt. Governor Spotswood to Lord Dartmouth. *Repeats parts of July 25 following*, relating to the disturbances in North Carolina. 'I shal reserve the further account of these commotions till the departure of our Fleet, now under an embargo (pursuant to H.M. commands signified to me by Governor Hunter) wch. will expire with this moneth. Had I found the assistance I expected from the men of war, my next might have brought your Lordp. the news of the total extinction of this flame, wch. now may spread much farther; but this is not the only disappointment the obstinacy of the Commodore has occasioned to H.M. service, *etc.* v. July 25. I have only been able to purchase about 700 barrells of pork in this Colony, which yet is three times as much as all the Revenue H.M. has here in bank will discharge: for the rest I have engaged my own credit, rather than H.M. service should suffer, and I hope your Lordp. will be pleased to interpose your interest, that the bills for it be answer'd at the Treasury. *Signed*, A. Spotswood. 5½ pp. *Enclosed*,

17. i. Duplicate of No. 42 v. [C.O. 5, 1337. Nos. 11, 11 i.]

July 16.
Spanish
Towne.

18. Governor Handasyd to the Council of Trade and Plantations. Since my last of May 19th, there is past the four following Acts, vizt., (1) An Act to enable H.M. Treasury of this Island to support and discharge 'tis [?-its] extraordinary occasions by appropriating 3000l. out of the Additional Duty; (2) to prevent any one person from holding two or more offices of proffit in this Island, (3) for the maintenance of prisoners of war, (4) for vesting the estate of Thomas Finch of the parish of Kingston Esq. in trustees the better to enable his security to pay £3800 due from him to the publick. Some disputes hapning between the Council and Assembly in relation to a tack made to the bill to enable H.M. Treasury, *etc.*, which they refused a conference upon, as your Lordpps. will see by the Minutes *etc.* I shall take care to send by H.M.S. the *Non-such*, which will sayle the latter end of this month. I designe to imbarke in her myself. But the greatest misfortune was the

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assumeing to themselves a right to adjourne for a longer time then *de die in diem*, as by their Minutes of ye 5 June, which has been twice attempted before dureing my Government, but they could never carry their point ; since it was so much contrary to H.M. royal prerogative and Instructions, upon which I commanded the Speaker and the House to attend me in Council, and having passed the above mentioned, and then using all the little Rhethorick I had to induce them to returne to the business that was not done, vizt. the Quartring Act, the Additional Duty Act ; and what others they might think necessary for the well governing this Island. But instead of that they went about drawing up a message to desire leave to adjourn for a month, weh. was within 20 days of the aforesaid Acts expireing. And being informed that their resolutions was that if the time was not granted them they would adjourn themselves, myself and Councill finding their obstinancy, their opinion was unanimous to dissolve the Assembly, (weh. was accordingly done the 8th June) and to call another, and the Council farther promised to use their best endeavours that such persons should be chosen in their several parishes as should shew their duty and loyalty to H.M. and their zeal for the good and welfare of this Island. And according to the several returnes already made they have chosen such persons as will answer the end of calling a new Assembly ; for it's my oppinion the least inclined to faction of any Assembly that has been hitherto since my being here. Capt. Vernon, Commander of H.M.S. the *Jersey* returned from Carthageen the 4th or 5th of this instant with an accot. that there was 8 or 9 sayle of large ships, besides other smal vessells in the Harbour, and seemed to make all the dispatch possible for sayling. My Lord Hamilton, Governor of Jamaica, arrived here 11th instant, and was waited on by myself and Council at Port Royal where H.M. Commission was produced and proclaimed, and the usual oaths administered to the Governor as is customary, after which I delivered him up my stewardship, and at my return I hope I shall have the good fortune to demonstrate that dureing my governing here I have done everything to the best of my judgement for the honour of H.M. and trust reposed in me, as well as for the interest and good government of the inhabitants here, which I hope will be to H.M. satisfaction as well as your Lordps., and at my arrivall shall not fail to pay my respects to your Lordpps. Yesterday Comadore Littleton sayled with 5 men of war for Carthageen in hopes to intercept Mons. Du Case pray God send him good success notwithstanding he is hardly strong enough. Yet I assure myself he will do all that a gallant man can do for the service of our Queen and Country. I have put so many men of H.M. Regt. under my command as he desired to help to man them, *etc.* *Postscript.* Since my writing of this a New Englandman is come in here, and says that Capt. Padon, Commander of the *Windsor* and the *Waymouth* has taken a French man of war of 40 od gunns and two French merchantmen all very rich and of an extraordinary value, and that they arrived at Boston in New England nine dayes before he came from thence.

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And a privateer of this place, Capt. Tempest commander, has also taken four prizes of a considerable value as the Capt. reports, and has brought them into Boston also, so that we expect them here in a very short time, the Capt. being come from thence 33 days. *Signed*, Tho. Handasyd. *Endorsed*, Reed. 10th, Read 12th Sept., 1711. $2\frac{1}{3}$ pp. [C.O. 137, 9. No. 44; and 138, 13. pp. 348-352.]

July 16. **19.** Governor Handasyd to Lord Dartmouth. *Duplicate of preceding.* [C.O. 137, 51. No. 47.]

July 16.
Barbados.

20. Governor Lowther to the Council of Trade and Plantations. All the publick affairs of this Island are in a very bad condition, but I hope by your Lordships' kind advice and assistance to see this place once more flourish, *etc.* *Encloses Minutes of Council and Assembly.* *Signed*, Rob. Lowther. *Endorsed*, Reed. Sept. 26th, Read Nov. 15th., 1711. *Holograph.* $1\frac{1}{4}$ pp. [C.O. 28, 13. No. 71; and 29, 12. p. 376.]

July 16.

21. Address of the General Assembly of New Jersey to the Queen. The great preparations your Majesty has made for the reduction of Canada is a demonstration that the remotest of your Dominions are not exempted from your Royall care; and that the benefit, ease and safety of your subjects wherever they are, as they are the good effects of your Administration, so they are what your Majesty most chiefly studies to promote, which cannot fail of engaging the favour and assistance of heaven to make you always victorious, and will procure you a just Fame as lasting and as glorious as the Trophies gain'd by your triumphant arms can entitle you to. Our duty and the share we shall have in the common security of North America engages our thankfull acknowledgmt. for your Majesties' favours. And as we have with great chearfulness contributed to the very utmost of our abilities to it, so wee shall most readily and most willingly support your Majesties Government and study to do it in such a manner as shall be most agreeable to you, espetically now wee feel the happy effects of it in the prudent conduct of your Majesties faithful servant H.E. Robert Hunter, *etc.* *Signed*, By order of the House, John Kay, Speaker. *Parchment.* 1 large p. [C.O. 5, 1091. No. 41.]

July 16.

22. Memorial of Planters and Traders to Jamaica to the Queen. We do think it our duty to lay before your Majesty the apprehensions we are under of the great danger that all the British Colonies of ye West Indies, especially the Island of Jamaica, are now in from the French. It is notorious that Mons. du Casse was dispatcht in March last with a squadron of large men of war for the Spanish Indies, and it is now made publick in all the foreign advices that Monsr. du Guay hath been lately fitted out with a very considerable Fleet, and that he hath with him a great number of land forces, and it is said positively in some letters from France that their chief design is to attack ye Island of Jamaica,

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and wt. induceth us not to doubt thereof is ye certain advice we have that there is a body of 1500 made ready at Martinico to be embarked. The vast advantages that the French would have by possessing themselves of that Island make it probable, and the irreparable damage that the British Nation must for ever labour under besides ye utter ruin of all that are concern'd in the Island and Trade thereof justly alarms. *Pray* that speedy and effectual means be taken for the security thereof. *Signed*, Cha. Long, and 19 others. 2 pp. *Enclosed*,

22. i. A proposal for the better defence of Jamaica, July 16, 1711. There being but 500 regular soldiers there, it is proposed that three or four 4th rates be sent forthwith carrying 250 marines each, *etc.* 1½ pp. *The whole endorsed*, Recd. Read July 17, 1711. [C.O. 137, 9. Nos. 40, 41; and 137, 51. Nos. 50, 51; and (without enclosure) 138, 13. pp. 339, 340.]

July 17.
Whitehall.

23. Council of Trade and Plantations to Lord Dartmouth. Enclose preceding to be laid before H.M. [C.O. 138, 13. p. 341; and (with autograph signatures) 137, 51. No. 49.]

July 17.
Treasury
Chambers.

24. Mr. Lowndes to Mr. Popple. *Encloses* following correspondence relating to a complaint by Lt. Governor Spotswood that Mr. Corbin, Naval Officer of Rapahannock River, had cleared the *Robinson* frigate, by which the Governor intended to send letters and public papers, without his knowledge, Mr. Corbin being part owner of that ship and having, by a notorious piece of forgery, altered the date of H.M. sign manual exempting her from being embargoed. The Lord Treasurer desires the Council of Trade and Plantations to examine into the matter with all convenient speed. *Signed*, Wm. Lowndes. *Endorsed*, Recd. 18th, Read 19th July, 1711. *Addressed*. 1 p. *Enclosed*,

24. i. Extract of letter from Lt. Governor Spotswood to [? Lord Dartmouth] May 5, 1711. *As above*. 2¼ pp.
24. ii. Copy of H.M. permit for the *Robinson* to sail without convoy within 12 months from Feb. 18, 1709, in the *eighth* year of our reign, *etc.* *Signed*, Sunderland. *Mem.* The word *February*, the figure 9 and the word *eighth* appear plainly to have been razed and are written with a different ink. The date in the books in the Lord Dartmouth's Office is Sept. 18, 1708. 1¾ p.
24. iii. Lord Dartmouth to the Lord High Treasurer. *Encloses i. and ii. preceding*. *Copy*. 1 p. [C.O. 5, 1316. Nos. 66, 66 i.-iii.; and (without enclosures) 5, 1363. p. 326.]

July 17.
St. Jago de
la Vega.

25. Governor Lord A. Hamilton to Lord Dartmouth. *Repeats and refers to parts of No. 28 infra*. *Continues* :—I found the Marquis de Suere had been some time gone to Carthagena, as I suppose, upon his parol; and I have endeavour'd by the opportunity of Commodore Littleton's going over thither with five ships of his squadron to intercept (if possible) Mons. du Casse,

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to notify H.M. commands in relation to the Marquis's exchange signified to me by your Lop. in such manner as I hope due regard will be had to them. What your Lop. has been pleased to command me touching the prisoners at Lima, must be transacted at Panama, by the way of Portobello, and which I will be sure to take due care in, as soon as possibly I can, *etc.* Signed, A. Hamilton. 3 pp. [C.O. 137, 51. No. 48.]

July 17.
Antigua.

26. Lt. General Hamilton to the Council of Trade and Plantations. Since my last of the 13th inst. the Lt. Governor of this Island has rose a dispute between him and myselfe, he alledging that as I am not named in H.E.'s instructions to be of the Council, but only for the Island of Nevis, where I have the honour to bear H.M. Commission as Lt. Governour, so I ought not to sitt or precide in any of the Councils of the other Islands, but only in that of Nevis, which seems somewhat strange, and may prove very prejudiciall to H.M. service; as to the first it seems very od that I should one day bee at the head of the whole Government, and deliver that Government up by H.M. order to a superior by her appoynted, and by that means immediatly loose my place in Council, or bee quite out of that Council where I was but just before the head, and bear still the same Commission, by which I satt there, then which I think nothing can be more strange, which dispute was refer'd to H.E. who tould me he would write your Lordships about it. As to the second, of its proveing prejudiciall to H.M. servis, it may be of vast consequence; for should H.E. at any time bee to Leeward, and I in this Island, Mountserratt attack'd, had I whole command, both civill and military, I might on any such occasion releive said Island, before H.E. probably could have any notice of it, and the like by other Islands, for its seldome that the Generall and Lt. Generall are in one Island long together, now on the other hand, if the civill power is seperate, and lodged in Lt. Governour, when the Lt. Generall is in place, the said Lt. Generall may command and have men reddey for the releife of any Island, or other service, but cannot take up vessels, provisions *etc.* for transporting said forces, without applying himselfe to an inferiour officer, and then perhaps meet with twenty difficultys, of which I shall give your Lordships but one instance, and that was in 1702, the first year of the war, when I had a commission, the honour for Major Generall from Col. Codrington, the then Captain Generall and Governour in chiefe, who sent me a letter that the war was proclaim'd and inclosed an order to make all the dispatch that possibly I could with the Queen's troops from Nevis, and those from Mountserratt who he had ordered to joyne me, to go and secure St. Christophers, which order I received the 28th day of June about 2 a clock in the morning. I immediately applied myselfe to the then President of Nevis (for there was no Governour there at that time) to furnish me with vessels for transporting myselfe and men, but met with a great many difficultys, and at last had a brigantine lent me by one of my friends, without which I could not have made the dispatch I did, for I was with the forces

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aforesaid upon St. Christophers that night before sunsett and secured all the passes, by which means I had the French part of that Island delivered me upon the 4th of July following. Therefore I beg your Lordships to remove the same by ordering the premisses as in your great wisdom seems meet and just; I haveing nothing so much in view as H.M. service, the preservation of the Islands, the good and welfare of the people therein, *etc.* *Signed*, W. Hamilton. *Endorsed*, Recd. Sept. 28th, Read Oct. 27th, 1711. $2\frac{1}{2}$ pp. [C.O. 152, 9. No. 89; and 153, 11. pp. 399-402.]

July $\frac{17}{28}$.
Fort
Kykooverall.
Rio Essequibo.

27. Commandant Vanderheyden Rezen to the Dutch West India Company. *Dutch.* 4 pp. *Signed*, P. Vanderheyden Rezen. *Endorsed*, Read Nov. 30 (O.S.), 1711. *Enclosed*, 27. i.-xxix. Letters, inventories, clearances *etc.* *Dutch.* 52 pp. [C.O. 116, 21. Nos. 6, 6 i.-xxix.]

July 17.
St. Jago de
la Vega.

28. Governor Lord A. Hamilton to the Council of Trade and Plantations. After many disappointments, I at last arrived here the 11th instant *etc.* Your Lops. will not expect many particulars from me in so short a time, *etc.* As we came to Barbados the 22nd of June, we were allarm'd with the danger Antegoa was suppos'd to be in from the enemy; and as we thought it our duty to give them what assistance we could, we sail'd the same evening, taking our course between the Sanctos, close by Guardalupe, in order the better to have intercepted the enemy, had they been on their return. Arriving the 27th at Antegoa we found that the enemy had only made a faint on that Island, but had attack't Mountserratt, from which they had been bravely repulsed, *etc.* Since Commodore Littleton's departure (v. No. 18), the *Medway's* prize is come in from Pensilvania, which brings the confirmation of the *Windsor* and *Weymouth's* having taken the *Thetis*, a French man of war of 56 guns off the Havana *etc.* The prize is said to be very rich, to have Monsr. the Count of Choiseul, late Governour of Petit Guavas on board, who was kill'd with all the officers and above 100 men, having very bravely defended themselves. The loss in the Queen's ships is said to be inconsiderable. The *Medway's* prize, my Lords, I find was ordered to Providence with Ingenier Hawkins for a survey of that Island; He arrived here yesterday, and gives a very sad account of that place: But I must suspend saying any more of his expedition, untill I have time to examin into his orders and instructions, *etc.* The usual ceremony and hurry on the like occasion has prevented as yet my near inspection into the civil affairs and circumstances of my Government. The Island, they tell me, is pretty healthy; the Assembly I find dissolv'd, and a new one call'd, which is to meet the 23rd instant, and several material laws expire on Aug. 1st., so that there is a necessity of their meeting then, and indeed they seem somewhat straitned for time, *etc.* *Signed*, A. Hamilton. *Endorsed*, Recd. 10th, Read 12th Sept., 1711. 3 pp. [C.O. 137, 9. No. 45; and 138, 13. pp. 353-355.]

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July 17.
Whitehall.

29. Mr. Popple to the Secretaries of the Treasury. Encloses extract of letters from Mr. George Clarke, May 30, 31, and June 7, relating to the Palatines. [*C.O.* 5, 1122. pp. 419-423.]

July 17.
Newcastle
in Carlisle Bay
att Barbadoes.

30. Capt. Bourn to [*? Secretary of the Admiralty*]. I send this for the information of the Lords Commrs. of the Admlty., that on Sunday the 10th of June last off port St. Piers in Martineco about two miles from the shore, I mett a French ship of 36 gunns, a hagboat built ship of 24, a two mast vessell and nine privatier sloopes having (as I have been since informed) 2000 men on board, and bound to make a decent upon Antegoa, by that time I gott within pistoll shott of the ships, it fell starke calme, and they lay soe upon my quarter, that I could not bring a broad side to bear, however after about three houers engagement with them, I shatter'd them soe, that with the very first breese, they endeavour'd to gett into the harbour again, which they succeeded in, for I had two nine pound shott through my foremast, soe that I could not venture to carry sayle upon it, and all my rigging and sayles very much shattered. I lost but one man, and had nine wounded besides my Lieut. who was shott in four places, but hope all will recover. I returned to Barbadoes the Friday following, and on Saturday two expresses arrived from the Leeward Islands desiring assistance (the *Larke* their guardship being then refitting at Barbadoes) and the *Guernsey* and *Sweepstakes* out a cruizeing; I refitted my mast and ship with what expedition I could, and on Sunday night sayled for Antegoa, and perceiving by signalls made from the shore, that the enemy were not there, I continued my course for Monseratt, where I arrived on Wednesday evening, and upon consulting with the President and Councill of that Island, I was advised by them to proceed to Nevis as the place the enemy are most probably at, and accordingly I say'd at 12 a clock at night, and was scarce gone three hours, when sixteen privatiers landed 1500 men on Monseratt, but they hearing of my being at Nevis, and seeing a sloop escape from them with intelligence of their being there to me, immediately embark'd again without doeing any damage to the Island, they gott away before my return, having left severall men prisoners behind them, who upon examination informed us that their first designe was against Antegoa, but that their ships were soe shattered, that they could not goe to sea, and therefore they attempted Monseratt, they having 64 men killed and a great many wounded, as they give an account. *Signed*, L. Bourn. *Endorsed*, Recd. from Mr. Fawlers of the Admt. Sept. 27, 1711. *Copy.* 2½ pp. [*C.O.* 28, 43. No. 62.]

July 19.
Whitehal.

31. Council of Trade and Plantations to the Queen. Recommend that John Carver be appointed to the Council of Jamaica in place of Thomas Clark, decd. [*C.O.* 138, 13. p. 342.]

July 19.
Whitehall.

32. Council of Trade and Plantations to Lord Dartmouth. We have received letters from Mr. George Clarke (*v.* May 28, 30, 31 and June 7th) wherein he informed us that the Governor of

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Canada had lately sent to the Five Nations of Indians some officers and soldiers with a large present, *etc.*, consisting chiefly in ammunition, of which they are in great want. By the influence whereof the French had by permission of the said Indians, begun to build a small fortification in the Onondage country. That the neutrality that has been observed between the English Indians and French Indians this war, has given our enemy the opportunity of thus corrupting our Indians, and the people of New York seem generally averse to a rupture between the said Indians, and rather than be at the expence of supplying them with ammunition in such a case, and defending their frontiers, which must necessarily follow, choose to sit contented under this precarious security ; without even so much as raising any money for presents to such of the Indians, whose fidelity may deserve them. And the presents Col. Hunter carried with him being almost all disposed of that way, and for spies last winter (for whom the Assembly made no provision) there's nothing now left to trust to, but the faith of those Indians, and how much that is shaken already, is but too evident from their proceedings. That so soon as Col. Hunter had notice that these French officers were at Onondage, he dispatched Col. Schuyler thither, with Instructions how to behave himself with the Indians on this occasion. *Copy of his Journal inclosed.* v. C. S. P. 1710, 1711. No. 864 i. [C.O. 5, 1122. pp. 424, 425.]

July 19.
Whitehall.

33. Council of Trade and Plantations to Lord Dartmouth. Enclose following.

33. i. Council of Trade and Plantations to the Queen. Representation on the petition of Berkeley Seymour (v. C. S. P. 1710, 1711. No. 343 i.). In consideration of Col. Seymour's long and faithfull services to the Crown, he having serv'd your Majesty and your Royal predecessors in a military post above 30 years before his going to that province ; and in consideration that he had clear'd several ships from Maryland, and would have clear'd the remainder had he lived some few days longer, whereby he had been entituled to the 12d. per hhd., we humbly offer that, to enable the petitioner to support his father's widow and his other children, and to pay his debts and legacies, your Majesty be graciously pleased to grant the petitioner a moiety of the 9d. per hhd. arising from the ships then in Maryland (as granted by his Commission) the amounts whereof, as we are informed, will not exceed 4 or £500. We further offer that your Majesty's pleasure be signified to the President of the Council, that he account with the petitioner's Attorney for the moiety of the 9d. per hhd. accordingly. [C.O. 5, 727. pp. 277-280.]

July 19.
Whitehal.

34. Wm. Popple to Josiah Burchett. *Asks for a copy of the report of the Lord High Admiral upon which H.M. letter of exemption for the Robinson frigate was founded* (v. July 17). [C.O. 5, 1363. p. 327.]

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July 20.
Admiralty
Office.

35. Mr. Burchett to Mr. Popple. *Encloses following in reply to preceding. Signed, J. Burchett. Endorsed, Reed. 21st., Read 25th July, 1711. Addressed. 1 p. Enclosed,*

35. i. Report of H.R.H. the Lord High Admiral, Sept. 10, 1708.

I have noe objection to the *Robinson* frigate being permitted to sayle without convoy, *etc. Signed, George. Copy. 1 p. [C.O. 5, 1316. Nos. 67, 67 i.; and 5, 1363. pp. 327, 328.]*

July 20.
Antigua.

36. Governor Douglas to the Rt. Hon. Robert Monckton, one of the Lords Commissioners of Trade and Plantations. I arrived here ye 10th inst. where the People expressed a great satisfaction in H.M. goodness for dispatching a new Governor to remedy their late disorders, and being alarmed by the French since ye time they were repulsed at Montserrat, I have been obliged to spend most of my time as yet in putting the Island in the best posture of defence, the Regiment being in so weak a condition as to men, and so ill armed that little service can be expected from them while they are suffered to continue in this disorder. I am by all opportunitys endeavouring to inform myself of the cases of the persons concerned in the late rebellion according to H.M. order. I found all the General Assembly with some of the Council deeply concern'd in it, and the same persons being the men of the best estates are again chosen, except one or two. I hope therefore I shall be allowed to proceed according to H.M. directions with all necessary precaution, believing it were much the same thing to lose a thriving Colony to the publick enemy or by a civil war, hoping in a little time to be able to prevent both and to do all Justice to the authority of our Sovereign Lady the Queen. They seem very unanimous in carrying on the publick works and fortifications of ye Island, they express their duty in a most sorrowful sence and detestation of the desperate fact, their most intollerable oppressions harried them into, so many hundreds being involved in the same guilt but how far ye sufferings of this unhappy people who seem disposed to a more strict obedience and subjection may mitigate H.M. just resentments, I hope every day to receive the honour of being acquainted with. I humbly begg the Lords Commissioners of Trade forgiveness for not having had a possibility as yet of giving a further account of this affair by this paquet : begging leave to recommend Capt. Mathews to be of the Council in this Island. *P.S.* I shall readily obey your commands relating to Mr. Parke with the very first possibility. There being something of a dispute between Lt. General Hamilton and the Lieut. Governor of this Island about their taking place, I must desire their Lordships' opinion whether the said Lt. Genl. ought not to take place of the Lt. Governors in their respective Islands at the Council board, and in all civil matters, as well as by his Commission he of right doth in military affairs, he being only mentioned in my Instructions for the Island of Nevis, where he is Lt. Governor, begging their Lordships will let me have their advice thereon by first opportunity, that I may the better know how to proceed upon

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this or the like dispute. *Signed*, Wa. Douglas. *Endorsed*, Recd. Read Oct. 30, 1711. *Addressed*. *Postmark*. *Sealed*. $1\frac{3}{4}$ pp. [C.O. 152, 9. No. 86; and 153, 11. pp. 390, 391.]

July 21.
Barbados.

37. Governor Lowther to Lord Dartmouth. Since my letter of 16th instant, a sloop arrived here from Curacoa which brought letters of the 22nd and 26th of June last N.S. that Monsieur du Cass was at St. Lewis in St. Domingo with ten sail of men of warr, the least of which carry'd sixty gunes; and that it was supposed he design'd to go very speedily to Carthage to convoy home several galleons which lay in that harbour ready for sailing. I cannot pretend to say how much this account may be depended upon, but several intelligent and sober people here give great credit to it. *Signed*, Rob. Lowther. *Holograph*. 2 pp. [C.O. 28, 43. No. 63.]

July 21..

38. Mr. Attorney General to the Council of Trade and Plantations. Your Lordships having sent to me the draught of your Representation on the Lord Baltimore's petition, requiring my opinion thereon, I humbly lay before you a copy of the report I intend to make on the said petition to H.M., which has also been referred to mee, unless better informed by your Lordships, on which I shall be ready to attend on, or receive your Lordships commands, as you shall please to direct. *Signed*, Edward Northey. *Endorsed*, Recd. 21st, Read 24th July, 1711. 1 p. *Enclosed*,

38. i. Mr. Attorney General to the Queen. Report upon the petition of Charles Lord Baltimore that his right of appointing a Governor for Maryland may be restored to him. *Recapitulates events of 1689-1691 relating to the taking of the Government into the King's hands, and the appointment of Col. Copley during the King's pleasure (v. C.S.P.)*. Col. Copley's commission under the Great Seal June 27, 1691, was granted without the consent of Lord Baltimore, who refused to agree to it. It recited that by reason of great neglects and miscarriages in the Government of that Province, the same was fallen into disorder and confusion, by means whereof, not only the publick peace and administration of justice (whereby the property of the subjects should be preserved) was broken and violated, but also there was an utter want of provision for the guard and defence of that country against the enemy, whereby the same was exposed and like to be lost from the Crown of England, and that the Province and subjects there could not be defended and secured by any other way than by taking that Governmt. into the King's hands and under his immediate care. Severall orders were made in Councill for the provision for the Governor, who was ordered to have half of the 2s. per hhd. laid on all tobaccos exported, the Act laying that duty there having appropriated half that duty for the support of the Government. But I do not find

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that any judgement in any of H.M. Courts was ever given against Lord Baltimore for determining any of the privileges granted to his ancestors by the Charter of King Charles I. And I doe most humbly submit it to your Majesty's consideration, it being lawfull, on the necessity before stated, for the late King's preserving that Plantation, to appoint a Governour, whether the warr continuing that necessity doth not yet remain, and thereby make it lawfull for your Majesty to continue to appoint a Governor, or at least till your Majesty be fully satisfyed that that Colony will be sufficiently secured against the enemy by the Proprietor, which will be less prejudice to him now than it was, when that Government was seiz'd by King William, for that since that time, by an Act of Parliament made in the seventh year of his reign, all Governours to be nominated and appointed by Proprietors of Plantations are to be allowed and approv'd of by your Majesty by Order in Councill. 6 pp. [C.O. 5, 717. Nos. 42, 42 i.; and 5, 727. pp. 281-290.]

[? July 21.]
Barbados.

39. Governor Lowther to Lord Dartmouth. *Encloses triplique of June 24 etc.* When I writt on the 24th of the last month everybody believed that the preparations which the French were making for an invasion at Martinique were intended against Antegoa : this conjecture happened to be very right, but they were disappointed in their design by the two following accidents, (viz.) H.M.S. the *Newcastle* being a cruising on the 3rd of the last month met with a French man of war and some sloopes (which we now understand were bound to Guardaloup) and after a long ingagement the French shipes were so disabled that they could not proceed but were forced to return and refit ; the next day H.M.S. the *Guernsey* and *Sweepstakes* met with another French man of war and chased her into Martinique, upon these accidents the French laid aside their project against Antegoa, and formed a design against Mountseratt with their sloops only, which they put in execution ; for on the 14th of the last month about four in the morning they landed 1200 men at a place called Kerr's bay nigh the North west point of the Island and march'd a considerable way into the country, and then the inhabitants meeting them at a convenient pass gave them such a warm reception that they thought fit to retire with the loss of about 50 prisoners and as many killed, and imbarcked about 8 a clock at night, so that they did not stay above 16 hours upon the Island ; but the reason why they retired in so great precipitation, was from the intelligence they received that the *Newcastle* had been there but four hours before they arrived, and that a sloop was dispatch'd to informe the *Newcastle* of their invasion. We have had no intelligence of the enemy since they left Mountseratt, and none of their privateers have appeared about our coastes as usuall. I have advice from Lt. General Hamilton of the 4th instant, that he sent a truce for

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exchange of prisoners about five weeks ago to Martinique which they still detain, he also says an other flag of truce which was sent from Nevis about 27 days ago is likewise detained, so that we have too much reason to fear that they are preparing for a second attempt upon some of these Islands. I am extreemly sorry to informe your Lordship that all the publick affairs of this Island are in great disorder, but I hope I shall be excused from entring into the particulars at this time, having already given your Lordship so much trouble, *etc.* *Signed*, Rob. Lowther. *Endorsed*, Col. Lowther 21 July, 1711. *Holograph*. 2½ pp. [C.O. 28, 43. No. 64.]

July 22.

40. Address of the Governor Council and Assembly of New Hampshire to the Queen. Wee crave leave humbly to prostrate ourselves at your Majesty's Royal feet with all humble and dutifull acknowledgments of the highest gratitude for the expressions of your Majesties most compassionate tender regard to the prosperity of your good subjects in these your Majesties Northern Plantations in America, throughout the course of your Majesties glorious reign, perticularly for the signal instance of your Majesties Royal favour in the gracious acceptance of our late humble addresses for obtaining an expedition to be made for the reduction of Canada and freeing us from those grievous oppressions, which wee have long laboured under by the French of that country and the salvages in their interests in soe near neighbourhood to us ; And that your Majestie has been pleased to command the service of such numbers of your skilfull experienced officers, and choice troops, with soe considerable a squadron of your Majesties ships of war in this important affair. And to committ the conduct thereof to H.E. Brigadier Hill and Sir Hovenden Walker, *etc.* The preparations for the part of this frontier Government in obedience to your Majesties commands for the Expedition by the hand of the Honourable Colonell Nicholson are carried with such application in raising the troops of this Province and transports to joyne your Majesties squadron are this day perfected, And wee render our most humble thanks to your Sacred Majestie for the cloaths, arms, and accoutrements for war of your Royal Bounty directed for the benefitt of your Majesties troops levied within these your Majesties Governments. May Almighty God on whom your Majesty's dependance is placed be graciously pleased to smile upon this noble important undertakeing, and grant success thereto, in subduing of Canada to your Majesties obedience. It will be a glorious acquisition to your Imperial Crown of Great Brittain, and of unspeakable benefit and advantage to the whole Britnish Empire. May God be also graciously pleased, to preserve your Majesties sacred person, long continue your life and reign and prosper your Majesties just arms everywhere, for the abasing of the pride of the Great Oppressor of Europe. That your Majesty may be instrumental under God to bring forward a speedy happy and lasting peace is and shall be the daily fervent prayer of Your Majesties loyal dutifull and thankfull tho' distressed subjects. *Signed*, J. Dudley, Cha. Story, Secretary, By Order

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of the Council, and Richard Gerrish, Speaker, By Order of the House of Representatives. 1 p. [C.O. 5, 10. No. 5.]

July 23.
Boston.

41. Mr. Bridger to [? Mr. Popple]. Since my last of May 21st by the packet I understand that the Palatines, when they should have gone to worke in the spring, mutined and Col. Hunter obliged to send for officers and 60 men from Albany to quell them, and I am informed they will not worke and that most of them are goeing on the Expedition against Quebeck, soe that the designe of naval stores by them ends at once, and am told that the victualing of the Palatines and not the raising of naval stores induced a Genll. to undertake an affaire he was wholly ignorant of. Sr., I have this great submission to lay before theire Lordps., that if they shall recomend me to H.M. for Lt. Governor of New Hampshire and Capt. of Fort Ann allowing me 60 men, a Lieut. and Insigne, and to have the whole managment of them (keeping this commision) humbly propose to take 40 men to work at 12*d.* per diem besides theire wages as soldiers, and so relieve them as the service will admitt, the rest to keepe garrison, the woods that are to be worked in is but 16 miles from the fort, 13 miles of it is by water, it is the best place I know of in this country for this worke *etc.* I would engage to make 1500 if not 2000 barrells of tar. I presume it would answer and set other people to work on the same affaire, and likewise give me power to prevent the utter ruine of H.M. woods. I am thretened to be shot, if they ketch me in the woods. P.S. By some omission in my commission the word lands was left out, which should have been added to the Surveyor General of all H.M. woods and lands, or lands and woods, wch. is most proper, for now they dispute as much for the land as ever they did for the woods and more, besides I humbly offer it on the acct. of lands in generall belonging to H.M. at Annapolis, and if it please God to bless H.M. armes with success at Quebeck, and now at New Yorke, New Hampshire *etc.* Signed, J. Bridger. Endorsed, Recd. 18th, Read 20th Sept., 1711. 1¼ pp. [C.O. 5, 865. No. 68 ; and 5, 913. pp. 348-350.]

July 25.
Virginia.

42. Lt. Governor Spotswood to the Council of Trade and Plantations. Acknowledges letters of Oct. 26th, Nov. 9th. In obedience to your Lordps.' commands, I here send a transcript of the several proceedings in Council relating to the selling the quitt-rents ; by these your Lordps. will be inform'd upon what grounds the method of sale by inch of candle prescrib'd in H.M. Instructions came to be altered : I have also subjoin'd a copy of a letter from Col. Byrd H.M. Receiver General containing some additional reasons why a publick sale is less beneficial, than the method now in use ; and since the former practice was altered upon the experience of its inconveniency, I must joine in opinion for continuing the present unless a greater inconveniency appears therein. I have examined the several tables of fees sent me by the respective officers in this Colony, and find them all agreeable to the particular laws by which they were establish'd : and I'm the more confirm'd in the opinion that they are within the bounds of

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moderation, because I have not heard that there has ever been any complaint of their exorbitancy. I have used my utmost endeavours to detect the persons accused of illegal trading to Curassoa and St. Thomas ; but have not been able to discover any thing whereon to ground a prosecution ; the books of the Custom-house officers give no light into the matter, and neither the masters nor mariners employed in those vessells being inhabitants of this countrey, nor to be found here, I'm also disappointed of the discoveries which might* have been expected from them. Mr. Conner, the owner of one of those vessells, has been with me with great professions of his innocence, he says his vessell neither carryed tobacco to Curassoa nor brought any European commoditys from thence ; and that for avoinding all future suspicions, he is resolved never to trade again to that Island. It is very probable that tobacco may be taken on board by the masters without the knowledge of the owners, and after their clearing with the Custom-house officer, which cannot be prevented any other way than by having a watchful eye on the vessells while they are lading and searching them after they are clear'd. I have with the advice of the Council proposed to the Commissioners of the Customs, as the best means to prevent such frauds, the establishing two searchers for this Bay, furnished with shallops or good boats and hands, wch. may be continually runing in to the little rivers and creeks, where such small vessells load, and cruising in the Bay for examining them after they are clear'd ; and that this may be done without any additional charge to H.M., I have also proposed the reducing of the three Collectors now established for York and James Rivers, to one for both, and he to live at Williamsburgh, which is the center between both rivers and equally convenient for either, and that the sallarys of the other two Collectors be applyed towards the support of those searchers, which in my opinion will prove more usefull officers for preventing illegal trade. I could heartily wish what your Lordps. seem to expect in relation to the building a Fort at Point Comfort could suit with the disposition and ability of this Countrey ; but when I propos'd to your Lordps. the building that Fort, I knew very well it would be in vain to expect the least assistance from the Assembly unless they were first assured they should not be charged with the maintenance of a garrison, which is an annual expence they will never be prevail'd with to lay on the country, however necessary it may be for its security : but if that point were once over, I should not doubt engaging them to contribute to the building the Fort, the charge whereof, I'm still of opinion, will be but inconsiderable in comparison of that of a regular fortification, it being design'd rather as something resembling a Land-guard-fort, than a Bergen-op-Zoom. As to the project of the iron mines, concerning which I received the signification of your Lordps.' pleasure, (v. Jan. 29) I have in my former given your Lordps. an account how that design was laid aside by the Assembly, and offerred my thoughts how it may be made more beneficial for H.M. service and the trade of Great Britain, upon which I hope to receive your Lordps.' com-

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mands. *Encloses* Journal of Council, on which I shal only trouble your Lordps. with these few remarks, that having by a Proclamation issued last December given liberty to all persons to take up land on the conditions in H.M. Instructions, it happened through the interfering of entrys that divers persons made pretensions to ye same peice of land, for determining of which it was thought necessary to establish the several rules, mentioned in the Council Journal, which I hope will not be unacceptable to your Lordps., since they have given such satisfaction to the people, and that all contraversys upon these entrys are thereby entirely accomodated. That the directions I gave for restraining the unlimited granting of rights before the person desiring them had made appear to me his ability to cultivate the land claim'd thereby, is readily comply'd with, will appear by the several applications on the Journal. And that I have with equal satisfaction and less charge to the people taken the granting of lapsed and escheated land out of the hands of the General Court (where it had been a long time improperly placed) and brought all applications of that nature to the Governor in Council as a more proper channell to dispense the favours of the Crown. Notwithstanding the objections made against the terms of granting land mentioned in H.M. Instructions, and the positive opinion of some that none would be taken up on those conditions ; there have been considerable quantitys entered for since the publication of those Instructions, and patents signed on the same terms last April, for much larger quantitys heretofore surveyed. I hope this will be an argument against further clamours on that head, and hinder any applications from the Assembly for altering the Instruction, especially if H.M. shal be pleased to allow patents to issue for all lands entered and surveyed before the death of Col. Nott, according to what I proposed to your Lordps. Dec. 18. Having lately discovered here a notorious peice of forgery in razing and altering the date of H.M. letter mandatory granted to the *Robinson* frigate of London, and making it serve a voyage for which it was never intended, I took the opportunity by the New York packet to impart that matter with the particular circumstances of it in a letter to my Lord Dartmouth *etc.* ; and having found very great reason to suspect that Mr. Corbin the Naval Officer of Rappahanock, who is also part owner of the ship, is privy to the forgery, the Council being of the same opinion, I have removed him from his office, and shal wait H.M. commands for proceeding further against him, if upon examination of the other owners at London, they shal clear themselves, and throw the crime on him. Your Lordps. will perceive by the accompts herewith sent how much H.M. revenues both of the Quitt-rents and 2s. per hhd. are sunk of late : this is occasioned by the declining price of tobacco for several years successively, which has discouraged people from offerring any considerable rate for the former, or shipping off their own tobacco for advancing the latter, many chosing rather to keep their tobacco in the country under the danger of spoiling, than venture to ship it and run the hazard of its bringing them in debt. The accompt of the quitt-rents has

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this last year received an addition of above 10,000 acres of concealed land, for there has been no new land granted in that time, and I hope to see that revenue much more considerably advanced by means of the Act passed last session of Assembly. I know not whether your Lordps. have yet had leasure to reflect on the advantages H.M. revenue will receive by that clause of it, making three years non-payment of quitt-rent a forfeiture of the land; but the people begin to perceive that will prove so effectual a remedy against all the evasions wherewith they have hitherto been able to conceal their land, that some have proposed to me to move H.M. to accept of a reasonable fine or composition for altering their tenures, and giving them new patents for their land upon the terms of paying a small acknowledgment in lieu of the present annual quitt-rent: but this being an overture on which I have not yet had time to forme a judgement, I shall neither encourage nor discountenance it, untill I receive your Lordps.' directions. Col. Hunter, Governour of New York, having signified to me that he had received H.M. commands to buy up a great quantity of provision for the subsistance of the forces sent to Canada, and that it was feared the service might be prejudiced unless a supply of pork were sent from hence, provisions being scarce in that and the neighbouring Provinces; I have used such dilligence that there are now upwards of 700 barrells of pork ready to ship off from this country, and I believe I have not left in it one barrell of sound pork besides. Tho' this great demand happened at a time when I had no Assembly to sett a rate on this commodity, I have taken such measures that there is very little of it bought at a higher price than I myself gave last Christmas when provisions were at the cheapest. The price of the pork was to be paid out of the quitt-rents, so far as that would go, but your Lordps. will observe by the quitt-rent accompt, how little it will discharge. So that I have been obliged to engage my own credit for the remainder, the people being unwilling to take Col. Hunter's bills, wch. they do not know how to negotiate at the Treasury. Capt. Smith, of H.M.S. *Enterprize* attending this Governmt. has had the good fortune to take at the Capes a French privateer of 88 men belonging to Petit Guaves. The prisoners have been subsisted here ever since June 7th, and I have chosen rather to send them to England by H.M. fleet, where they may be exchanged for the like number of H.M. subjects, than to transport them with a Flag of Truce to their own Island, being resolved on my own part to avoid all suspicion of an unlawful correspondence with H.M. enemys, as well as to endeavor by all means to prevent it in others. I should not have added to your Lordps.' trouble if the unhappy commotions in our neighbouring Province of North Carolina did not oblige me to represent the same as a matter that may very sensibly affect the peace of this Colony without the application of proper remedys. One Col. Thomas Cary being some years agoe appointed Deputy Governor of North Carolina under Sir Nathaniel Johnson, was afterwards removed by an order of the Lords Proprietors, and a President chosen to take on him the administration: but it

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was not long before Mr. Cary being join'd by certain Quakers entrusted by the Proprietors in some part of the administration gathered together a rabble of the looser sort of people, and by force of arms turned out the President and most of the Council, and by his own authority assumed the administration of the Government. In the mean time the Lords Proprietors appointed Col. Tynte Governor of South and North Carolina, and Mr. Edward Hyde to be Deputy Governor of the Northern Province, who was to receive his commission from the former. Mr. Hyde arriv'd here last summer, but before his arrival Col. Tynte dyed, so that he found himself thrown into a country without any power or credentials, except some private letters from some of the Lords Proprietors. However, by these he gave so good satisfaction of his being the intended Governor for that Province, that every one that could pretend to have deputations from the Lords Proprietors, and among the rest Col. Cary, joined in a petition to him to take the administration as President of the Council, untill his commission for Governor should arrive. Accordingly he was sworne, proceeded to settle Courts of Justice, wch. had been interrupted during the course of the former troubles, and called an Assembly. But Mr. Cary and those of his party finding their interest decline, and fearing to be called to account for many unwarrantable actions and oppressions whereof they had been guilty, began to find fault with their own election, protested against the meeting of the Assembly as not called by lawful authority, and endeavoured to stir up the people to throw off their obedience to the establish'd Government. Upon which the Assembly ordered Mr. Cary, and some of the chief of that party, to be taken into custody, and proceeded to pass a law obliging Mr. Cary to account to the Proprietors for their dues, wch. he had refused to pay for the subsistence of the Palatines according to their order, and added some other clauses perhaps too severe to be justify'd, wherein it must be confessed they show'd more their resentment of their ill usage during Mr. Cary's usurpation (as they call it) than their prudence to reconcile the distractions of the country, but of this your Lops. will better judge by the copys of the laws and address wch. are here inclosed. 'Twas not long before they found their power was too weak to inforce the execution of the laws they had passed. For Mr. Cary having made his escape out of custody, had again recourse to his old friends the Mobb, of which he drew together so great a number, and fortify'd his house with great guns and other warlike stores, that when the Government had taken a resolution to apprehend him, they found it impracticable to attempt it. Mr. Cary did not long content himself to stand on the defensive, but fitting out a brigantine of six guns, furnished him by a leading Quaker of that Province, with some other vessells equipp'd in a warlike manner, he again declared himself President, and went to attack Mr. Hyde and his Council at a place to wch. they had retired for their safety. It was then I received pressing applications from them for assistance from hence to enable them to defend themselves against this Insurrection. Whereupon having advis'd

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with the Council, it was thought fitt in the first place to offer my mediation for accomodating their differences, believing that Mr. Hyde would be prevail'd on to suspend the severity of the Laws against Mr. Cary untill the Proprietors' pleasure were known; and that this being once obtain'd, Mr. Cary would be contented to sit quiet and suffer the Government to go on in the way to which he himself had agreed. Accordingly I sent a Gentleman very fittly qualify'd for transacting an affair of that nature to offer my mediation to both partys, and writt to them the letter of wch. I here send your Lordps. the copy: and because I was in some doubt whether Mr. Cary would yeild to a peaceable accomodation, I also writt another letter (copy inclosed) to be delivered him in case he rejected the former, intending that if fair means would not prevail on him, he might at least be frighted into a compliance by the expectation of a superior force from hence. Mr. Hyde and his Council readily embraced the offer made them, declaring themselves ready to yeild to any termes that could in justice or reason be expected of them; but Mr. Cary obstinately rejected all offers of accomodation. Tis true at first he made a shew of accepting the mediation, but soon show'd that he had no other intention in it, than to seize Mr. Hyde and his Council by drawing them to an interview, separated from their guards, wch. he treacherously attempted to execute in violation of his own promise and agreement. After his disappointment in this design, he would never agree to any place of conference where Mr. Hyde could rely on the safety of his person: he was with great difficulty perswaded to declare what his demands were, and after a copy of them was obtained, he positively refused to sett his hand to it: and tho' he had notice given him by the gentleman I sent thither that every one of his demands would be agreed to with some necessary explanations, even that would not content him, but warned the mediator to retire for he was resolved to treat no otherwise than with arms. Matters being now come to the last extremity, Mr. Hyde and his Council again pressed for assistance by a joint letter (*copy enclosed*); and having had the unanimous opinion of H.M. Council here, that there was now no other way left but that of force to put a stop to this dangerous insurrection, and that it was conformable to H.M. Instructions to assist Mr. Hyde and those in the legal administration of that Government, I thereupon ordered the Militia of our frontier countys to draw together, designing to march a detachment of them into Carolina, and at the same time to obtain a reinforcement of marines from H.M. ships of war here, to be sent in their boats to the Sound of Chowan for securing the brigantine and armed vessells with wch. Mr. Cary had been enabled to insult the Government and overawe the people. But the Commodore of our homeward bound fleet judging it the least part of his duty to do any service to this Country, possitively refused to afford me any assistance either of men or boats, tho' upon my first communication of that project to him he seemed to approve it, and that I also represented to him how serviceable his boats might prove in transporting the pork I had

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ordered to be bought up in Carolina for the Queen's service ; and 'tis only owing to that disappointment that I have been obliged to lay aside the thought of getting any pork from thence, which I wish may not be a disadvantage to H.M. service in another place. In the mean time I receiv'd advice that Mr. Cary had attempted to put in execution his chief design of seizing Mr. Hyde and his Council, that he indeavoured to land a party of his men, while at the same time he attacked them, with his cannon from his brigantine ; but finding he was like to meet with some resistance, and the courage of his mobb not being so great in action as in imagination, he gave over the attempt and is since retired to a remote part of the country whether it is impracticable to march the militia from hence to attack him, he is there gathering a greater force and threatens to bring down the Tuscaruro Indians to his assistance. I have sent what marines could be spared from our guard ships to the assistance of that Government, in hopes by that means to satisfy the people that they are mistaken in what their Quaker-Polititians have infus'd into them, that this Government had no authority, nor would ever meddle in their quarrels, and if this will not do, I shall still endeavour (notwithstanding the almost insuperable difficulties of marching forces into a country so cut with great rivers and without any conveniency of water carriage) to put an effectual stop to these confusions, which give so great apprehensions to H.M. subjects of this Colony, who reflect that ye fatal rebellion raised here, which cost the Crown a great expence of treasure to quell, sprung from much less dangerous appearances, especially since Mr. Cary has threatened to act another Antegoa tragedy, to which his own desperate circumstances and the wretched crew he has got together seem like enough to prompt him. It is no small concern to me to find in two or three of our frontier counties where the Quakers have got the greatest footing, such a reluctancy to undertake anything against Cary and his party, which I understand is owing to the crafty insinuations of that sort of people, who not only have been the principal fomenters of the distractions in Carolina, but make it their business to instill the like pernicious notions into the minds of H.M. subjects here to justify all the mad actions of that rabble by such arguments as are destructive to all Government. I think it necessary on this occation to represent to your Lordps. how ill this country is provided for its defence either against a forreign enemy or intestine commotions. The powder which H.M. sent hither some years agoe is so much wasted, that there's no dependance upon its doing execution even at half distance. I beg your Lordps. will be pleased to move H.M. for a fresh supply, and that in the mean time the Admiralty may give orders to the Captains of H.M. ships resorting hither, to exchange from time to time some of their fresh powder for some of ours, wch. will be as proper for their use, in their signals, watch guns and salutes. The confusions in Carolina have hindered the meeting of the Commissioners for settling the boundarys, but as soon as the affairs of that country attain any tollerable settlement, I shal press them all I can to come to a

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conclusion, and hope by the next conveyance, I shall be able to give a good account of that affair.

P.S. Kiquotan, July 28, 1711. Since I came hither to dispatch the Fleet, I have received advice that upon the arrival of the marines I sent to Carolina, the heads of that mutinous rabble there are fled and dispersed, and that there is now great hopes that country will again be restored to peace; the Assembly and Courts of Justice beginning to resume their functions without fear of further disturbance. The Commissioners for settling the boundaries are just now met, and I hope they will conclude that affair before they separate; so that I may be able by the next opportunity to lay their proceedings before yr. Lordships. There are now further discoveries made of the ill designs of Mr. Cary and his party, there being some affidavits sent in hither to prove that Mr. Porter, one of Cary's pretended Council, was with the Tuscaruro Indians, endeavouring by promises of great rewards to engage them to cutt off all the inhabitants of that part of Carolina that adhered to Mr. Hyde. The Indians own the proposal was accepted by their young men: but that their old men, who have the greatest sway in their Councils, being of their own nature suspicious that there was some trick intended them, or else directed by a superior providence, refused to be concerned in that barbarous design. *Signed*, W. Spotswood. *Endorsed*, Reed. 25th Sept., Read Nov. 16th., 1711. 12 pp. *Enclosed*.

42. i. Lt. Governor Spotswood to Lord Dartmouth. May 5, 1711. v. No. 24 i. *Endorsed as preceding. Copy.* 2½ pp.

42. ii. Duplicate of No. 24 ii.

42. iii. Copy of Proclamations (i) March 19, 1710 (11), proroguing the Assembly to 7th Nov., and (ii) April 28, 1711, for the due holding of Courts, and for returning quit-rent rolls etc. *Signed*, A. Spotswood. *Same endorsement.* 2½ pp.

42. iv. (a) Copy of Acts passed in North Carolina, 1711. (a) *for the better preserving the Queen's peace.* (b) *for redressing grievances as to titles of land etc.*, (b) Copy of Address of the General Assembly of Carolina to H.E. the Palatin and Lords Proprietors of Carolina. We being met to perfect so far as in us lyes the recovery of this your Lordps.' poor country out of a most wretched confusion, etc., think it at this time sufficient to inform your Lordps. that some restless and giddy heads among the people called Quakers pursuing their wonted practice and indefatigable endeavour to oppose (we may rather say to) extirpate the Church, after they had procured several changes in the Government being perhaps encouraged by their former success, did in 1708 joyn with Col. Cary, Mr. Porter and Mr. Moseley etc. and some persons of desperate fortune at Pamplico raised an insurrection against the Government then duly established by a Commission from your Lordps. and to which they themselves had subscribed: and having by force and other

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sinister means got the records and offices into their hands, they set up an arbitrary Government which by discords amongst themselves soon fell piecemeal to the ground; till that nothing remained but confusion, disorder and oppression. These matters may it please yr. Lordps. are notorious, and need no proof, the disorders being encreased to that degree, that the continual clamour amongst ourselves, and the reproach we lay under in the neighbouring Collonies, as also the grievous complaints made on behalf of the poor Palatins, put all who had any sense of duty either to God or man under a necessity of seeking some remedy for these detestable evils, which we saw were very likely to continue another year. The good method which your Lordps. had taken being frustrated by the death of Coll. Tynt, and the Hon. Edward Hyde Esq. being arrived here, and it appearing by letters from Col. Tynt, and other testimonys that he was appointed by your Lordps. to be our Governor, we could not but look upon him to be the most proper person to receive us out of this distress. And therefore many endeavours were made to put the Government into his hands, which were opposed and frustrated by Col. Cary: but in a little time Mr. Hyde's great candour and gracefull behaviour so far prevailed wth. the best, and the awfull respect to his family and interest overawed others, that Col. Cary found himself under a necessity of complying or being deserted by all those that yet adhered to him; whereupon Mr. Hyde was unanimously chosen by all who could pretend to have a suffrage in the election, upon which a Council was called to appoint Courts of Judicature and necessary ministers, and to call an Assembly, to which Council Col. Cary and Mr. Porter were both called, but without any reason refused to give their attendance; on the contrary they have used all possible and most malicious and odious endeavours, having caused the records and seal to be detained to obstruct it, and all regular proceedings, and to overturn the Government and introduce the former confusion and miserys: for which their seditious practices we were under a necessity to bring them to a tryal (the account of which herewith sent). And now the Government to the general satisfaction of all men being thus put into some order, we earnestly pray your Lordps. favourable construction of what has been done, and that your Lordps. would assent to these Acts we have herewith sent. And whereas in the first there is a provision for continuing the Government, we do not therein presume to give rules to your Lordps. but out of a deep sense of the miseries we have already felt to prevent the like, untill your Lordps. shall according to yr. great wisdoms appoint a better method, being verily perswaded that your Lordps. have not been

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informed of the want of such a necessary provision. And whereas in the second Act all proceedings during these two years last past are made void, which howsoever it may seem severe, yet we found it necessary because of the unheard of irregularities and unlawful judgements therein past, as appear by the copys which have been given out of their Courts, which could not be anywise provided for, whilst they conceal all their Journals and Records, that an inspection cannot be made, we thought it better that a few should be compelled to bring their suits over, than many be concluded under unjust judgement, and yet the severity is not so great as their declaring by proclamation all proceedings null and void, that had been done by the space of nine months before they usurped the Government without any exception, tho in those proceedings they could not challenge one article. And having laid before yr. Lordps. this short but true account of our present condition, we in most humble manner beseech yr. Lordps. to take this poor countrey into your consideration without any dependance on the other part of your Lordps.' province, by which the influence of yr. Lordps. good government towards us have been very much clouded. And that you would continue to us this worthy gentleman who has been so happy an instrument of peace and reconciliation amongst us ; and that you would remove these three restless incendiaries, Col. Cary, Mr. Porter, and Mr. Moseley, from having any share in the Government, which is all the punishment we pray may be inflicted for many crimes and misdemeanours they are justly chargeable with. We have but one thing more to lay before your Lordps. which is the sale and surveys of your Lordps.' lands, concerning which the complaints are so numerous and grievous, and all the accounts we have yet had from either Mr. Moseley or the Secretary's Office so short and unsatisfactory, that no certain account can be had till a careful review be made ; thus much only is certain, that many surveys have been returned for tracts of land, whereon the Surveyor has never sett his foot. We hope this matter will be reduced into some better order by Mr. Lawson, who as he has been a very zealous promoter of the settlement of this countrey, so we doubt not but he will be serviceable to yr. Lordps. in this office ; which at this time needs a skillfull and faithfull manager. We pray leave further to supplicate your Lordps. on behalf of several of the new inhabitants who have imported themselves and familys at a great charge into this Government during these troubles, upon the encouragement given of having land by purchase, and there being no settled Government, was under a necessity of settling themselves upon any land they found vacant, or

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else to have removed themselves into some other country to their great disappointment. or utter ruine. We hope yr. Lordps. will consider their case and give order that they may have their lands granted on the same terms that other your Lordps. tenants have, who had the fortune to import themselves at a happier juncture. We lastly beg your Lordps. that if any person shall maliciously make any other representation of the state of the country and our proceedings than we have here done, that your Lordps. would be pleased to suspend your belief till we can make reply assuring your Lordps. that we have had no other end than the doing justice to all men and settling such a peace as we and our posterity may reap the benefit of, *etc.* Signed, Edward Hyde, W. Glover, Tho. Pollock, Richd. Sanderson, N. Chevin, Tho. Boyd, Wm. Swan, Speaker, Fred. Jones, Wm. Bray, Robt. Wallice, James Coles, Edward Smethwick, John Jordan, Richd. Jasper, John Blunt, Wm. Read, Tho. Vandormulen, Lag. Reading, Leonard Laftin, Edward Boyner, Tho. Relfe, Tho. Long, Richd. Lerry, Tho. Lee, Richd. Stamp, Fran. Delamare, John Muncref. *The whole endorsed*, Recd. Sept. 25, Read Nov. 16, 1711. *Copy.* 12 pp.

42. v. Copy of Lt. Gov. Spotswood's letters to Col. Cary and the President and Council of Carolina, June 20, 21, 1711. *Referred to in covering letter. Same endorsement.* 3½ pp.
42. vi. Copy of letter from the President and Council of Carolina to Lt. Governor Spotswood, June 29, 1711. *Referred to in covering letter. Same endorsement.* 3 pp.
42. vii. Account of H.M. Revenue of Quitt-rents in Virginia, April 25, 1710—June 1st, 1711. *Total*, £1814, 19s. 2d. *Same endorsement. Copy.* 1 p.
42. viii. Account of H.M. Revenue of 2s. per hhd., 15d. per ton and 6d. per pol. in Virginia, Oct. 25, 1710—July 20, 1711. *Total*, £4105 13s. 1½d. *Same endorsement. Copy.* 1 p.
42. ix. Minutes of Council of Virginia, Aug. 23, 1702, Oct. 18, 1705, July 25, 1710, June 16, 1711, relating to the manner of selling quit-rents. *Same endorsement. Copy.* 2½ pp. [*C.O.* 5, 1316. *Nos.* 71, 71 i.-ix.; and (*without enclosures*) 5, 1363. pp. 346-367; and (*duplicate of enclosure No. v.*), 5, 9. *No.* 17.]

July 25. Bristol. 43. Extract of a letter from Laurence Hollister of Bristol to Benjamin Cater of London. Reports the engagement of the *Newcastle* with the French *etc.* ½ p. [*C.O.* 152, 42. *No.* 69.]

July 25. Boston. 44. Mr. Addington to Mr. Popple. *Encloses following.* Signed, Isac. Addington. *Endorsed*, Recd. 18th, Read 20th Sept., 1711. 1 p. *Enclosed*,

44. i. Proclamation by Governor Dudley for preventing desertion of H.M. forces. Penalties for harbouring and

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- rewards for arresting deserters *etc.* July 13, 1711. Boston. *Printed.* 1 *p.*
44. ii. Duplicate of No. 45 vii.
44. iii. Proclamation by Governor Dudley appointing William and Francis Clarke of Boston, merchants, to accompany officers appointed by General Hill and secure provisions for the Expedition. Mr. Commissary Belcher is to take up all pork and grain brought in by water, for the service of the Expedition. Capt. Samuel Gookin and Samuel Phipps are to attend the camp on Nodles Island and see that there is no extortion or oppression in the sale of victuals there, *etc.* Boston. July 2, 1711. *Printed.* 1 *p.*
44. iv. Order made by the General Assembly of the Massachusetts Bay, Boston, May 30th, 1711. Any person enticing or harbouring deserters to be liable to £20 fine or 6 months imprisonment, *etc.* *Printed.* 1 *p.*
44. v. Order by Governor Dudley, Boston, July 3rd, 1711. The Select-men of the several towns of the Province are to see that beeves, sheep, fruits, and greens *etc.* for subsisting H.M. 6000 British troops encamped on Nodles Island, be daily sent to Boston or Winnisimmet, where the proper officers will attend to bargain for the same. *Printed.* 1 *p.*
44. vi. (a) General Hill to Governor Dudley. Lt. General Nicholson brought me this morning the Act of the General Assembly, passed yesterday, for further enforcing and enlarging the Act passed in May last against enticing, harbouring *etc.* of deserters. I hope it will fully answer the end for which it was made. I have only to desire you will be pleased to give direction for securing all such *souldiers and marines* as may be apprehended after I am gone, in consequence of the said Act : and that it be particularly recommended to Mr. Attorney General to prosecute the inhabitants of this Colony offending therein with utmost severity accordingly, *etc.* July 21st.
- (b) Admiral Walker to Governor Dudley. Same as preceding, with the substitution of *seamen* for *souldiers*.
- (c) Proclamation by General Hill and Admiral Walker, pardoning deserters since June 25, surrendering at or before July 27 *etc.* Boston, July 21, 1711.
- (d) Order in Council of the Massachusetts Bay. Boston, July 21, 1711. That the above be printed *etc.* *Printed.* 1 *p.*
44. vii. Copy of Act referred to in vi. (a) preceding. *Printed.* 2 *pp.*
44. viii. Order by Governor Dudley. Boston, July 20, 1711. The Commanding Officers of the respective regiments are to cause above Act to be published by beat of drum in the several towns, *etc.* *Printed.* 1 *p.*
44. ix. Proclamation by Governor Dudley, Boston, July 16th, 1711, addressed to Col. Ephraim Hunt, Major Robert

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Spurr, Col. John Phillips, Col. John Hathorne, Col. Benjamin Church. Upon information from General Hill and Admiral Walker as to desertions from the camp and fleet, I hereby direct you to raise the military companies of Hull, Hingham, Weymouth, Brantry, Milton, Dorchester, Roxbury, Dedham, Melfield, Bilgess, Cambridge, Charlestown, Maldon, Lynn, Marblehead, Salem, Bristol and Pocasset, to examine all strangers and travellers whatsoever, *etc.* Col. Nicholson has put into my hands £100 sterl. for the reward of officers and persons recovering deserters, *etc.* *Printed.* 1 p.

44. x. (a) Resolution by the House of Representatives of the Massachusetts Bay, June 12, 1711, that H.E. be pleas'd to emit the annexed Proclamation *etc.* *Signed,* John Burrill, Speaker.

(b) Proclamation by Governor Dudley. Boston, June 12, 1711. Whereas our Sovereign Lady the Queen, expressing her most compassionate resentment of the great losses, charge and expences of her good subjects in these H.M. Provinces and Colonies in North America, for their necessary protection and defence, from the insults of the French in their neighbourhood, and the Indian salvages in their interest, as well as for the defence of the sea-coast: of her tender regard to the welfare of H.M. subjects aforesaid; has been graciously pleased to declare her royall resolution to make an Expedition, under the protection and blessing of Almighty God, to attempt the removal of H.M. said enemies; the recovery of her country's, and to bring them under her intire subjection; thereby to procure a happy and lasting tranquillity and quiet to H.M. subjects in these northern Plantations. For the effectual carrying on of which great important Expedition, H.M. has been also pleased to order a very considerable squadron of Her ships of war, bomb ships, transports and train of artillery, with accoutrements for war, and land forces, from Her Kingdom of Great Britain; part of which are arrived, and the rest daily expected. And to command the service of some of her troops in their Provinces and Colonies to joyn H.M. British forces in this undertaking. And for their encouragement to yield their dutiful and chearful obedience to H.M. commands in that respect over and above the great advantages which will particularly accrue to them, by the success of this noble enterprize, H.M. of her royal bounty, has been pleased to order armes and ammunition for the furnishing of these her troops, and a coat, breeches, stockings, shoes with buckles, two coloured shirts, coloured neckcloths, and hat, *gratis*; for every officer and souldier that shall be retained in her service aforesaid. And further to promise upon her royall word, to such person or persons who shall distinguish themselves on this occasion, that,

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out of the lands and territories which shall be reduced to H.M. obedience, She will, if they desire the same, grant them houses, lands, priviledges and immunities for the support and benefit of themselves and their posterity ; and to give ample instructions to the Commander in Chief of her said forces, to indulge her loving subjects in what plunder or booty may be gotten in this expedition, and to apportion the same justly and equally amongst her said subjects, according to the service by them respectively performed, and to settle Garrisons in those countries of H.M. regular troops. To all which, H.M. Government of the Province of the Massachusetts Bay have superadded their further encouragement, of advancing the pay of their officers, souldiers, sailers and transports, and provided for the return of their troops as soon as the Expedition shall be over, *etc.* To be published at the head of the several regiments of militia. *Printed.* 1 *p.* This and the preceding *Printed at Boston, by B. Green, Printer to H.E. the Governour and Council.* *The whole endorsed,* Recd. Sept. 18, 1711. [*C.O.* 5, 865. Nos. 69, 69 i.-x. ; and (*without enclosures*) 5, 913. *p.* 351.]

July 25.
Boston,
New England.

45. Governor Dudley to Mr. Secretary St. John. Col. Nicholson arrived here June 8, and General Hill and the forces June 25th, since which there has been no application wanting in this wild country to persue the affairs so as to save the time, and I hope 3 days will dispatch the fleet and forces in good health and vigour and a middle passage will in 30 days shew them Quebeck where God can make them victorious. *Refers to enclosures.* We humbly hope the Fast ordered by H.M. Instructions to be holden to-morrow will fil their sayles *etc.* *Signed,* J. Dudley. 1 *p.* *Endorsed,* Rd. 17 Oct. *Enclosed,*

45. i. Minutes of proceedings of the Congress of Governors at New London, June 21, 1711, in preparation of the Expedition to Quebec. *Copy.* 9 *pp.*

45. ii. Duplicate of No. 44 iv.

45. iii. Duplicate of No. 44 x.

45. iv. Duplicate of No. 44 iii.

45. v. Duplicate of No. 44 v.

45. vi. Duplicate of No. 44 i.

45. vii. Proclamation appointing a General Fast for July 26th and the last Thursday in every month during the Expedition, "that divine conduct may be granted to H.E. the General and the honourable the Admiral, with H.M. forces under their command." *Signed,* J. Dudley. July 16, 1711. *Printed.* 1 *p.*

45. viii. Duplicate of No. 44 vii.

45. ix. Duplicate of No. 44 vi.

45. x. Copy of Minutes of General Assembly, May 1711, resolving upon address of thanks to H.M. for setting forth an Expedition of so great consequence and making

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provision for 900 men besides commission officers for the Expedition. 6½ pp. [C.O. 5, 898. Nos. 10, 10 i.-x.]

July 25.
Boston.

46. Col. King to Mr. Secretary St. John(s). *Refers to enclosed Journal.* You'll there find, what difficultyes we mett with through Nicholson's neglect in not sending his two transports with a man of war to New York to convoy our provisions from thence: through the misfortune that the Coloneys were not inform'd of our comeing two months sooner: and through the interestedness, ill nature and sowerness of these People: whose Governmt., doctrine, and manners; whose hypocrisy and canting are insupportable, and no man living but one of Gen. Hill's good sense, and good nature would have managed them with that patience and dexterity as he has done. But if such a man mett with nothing he could depend on, altho' vested with the Queen's royal power and authority, and supported by a number of troops sufficient to reduce by force all the Coloneys. 'Tis easy to determine the respect and obedience H.M. may reasonably expect from them for the future, and how absolutely necessary it is, and with what great truth one may affirm, that till all their Charters are resum'd by the Crown, or taken away by an Act of Parliament: till they are all settled under one Government with an entire liberty of conscience: and an invitation to all nations to settle here, they will grow every day more stiff and disobedient, more burthensome than advantageous to great Brittain. The inclos'd Plan of Quebeck I form'd from the best advice that could be had here. As to the strength of the works, the accounts differ'd: but all agree that the scituation of the place is very strong, and the avenues leading to it from the River choak'd with woods, rocks and precipices. I have therefore by my General's orders provided here a crane and other engines, which will enable us with the 30 horse we take from hence to surmount any difficulty of that nature we shall meet with, in bringing our canon, mortars, and ammuniton to the part which shall be thought proper to attack the Town at. Wherefore neither the strength of the place, or the great trouble the advantagiousness of its scituation must undoubtedly give us, do make me in the least dubious of success, because I know that with pains and resolution we can overcome them. So that if storms, contrary winds, and the difficult navigation of the River don't defeat us, I beleive it's certain nothing else can. The Pilots who were with Sir William Phipps in his Expedition against Canada, and indeed all others we mett, represent the navigation of the River as the greatest difficulty we shall encounter. That from Tadoussac to some leagues above Quebec the water ebbs and flows with that prodigious rapidity it will carry a ship above a league and half an hour: that we must have a sufficient gale of wind to stemm this tide, or it will drive the ships on shoals and rocks, which are in vast numbers all along the River: and that there's every day, especialy in the latter season, such squals of wind, that the stoutest ships are hardly able to resist them. I am now

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in no very great pain whether Nicholson will gett ready in time to make the diversion he was order'd by Wood Creek, Chambly and Montreal. For an expedient is found, which I hope will answer the end near as well. This expedient is in sending the week we go from hence one Major Levingston with 100 English and 300 Indians from Albany. These 400 men can alarm that country as well as 4000, consequently will prevent the regular troops as well as all the inhabitants above Trois Rivières from falling down to defend Quebeck, which I take to be the principal design of Nicholson's Expedition. Our General's Declaration, which he sends you by this occasion, would undoubtedly do us great service if the inhabitants of Accadia had been tolerably well treated after the reduction of Annapolis. However I hope it will have some effect, and at least gain us pilots to conduct us up the River : and encourage part of the inhabitants to join us, and bring us in provisions when we are landed, since the General has very prudently resolv'd to give them all manner of encouragement, and perform religiously what he has promiss'd in his Declaration. I can't express the uneasyness we have been all in for our long stay at Boston. But it was unavoidable on our part, unless we had gone without provisions and the men transports and all other necessarys we were to have from hence. 'Tis certain if the Government here had made that dispatch which they ought to have done, and which our General constantly press'd them to : I beleive we might have sail'd from hence a fortnight ago. But all has been done with indolence and indifference with a thousand scruples and delays. I had almost forgott to mention one grievance we mett with here, which is insupportable especially on such an occasion as this. 'Tis the encouragement given here by the people to deserters, and the severe Acts of Parliament against land or sea forces makeing any reprisal ; I mean to recruit and compleat their respective compliments. This hardship falls very heavy on the Naval Force, as its more frequently here and that the encouragement given by the inhabitants to seamen is vastly great. Indeed the Government here at the General and Admiral's desire have fallen into such measures in appearance as would prevent the people from concealing or enticing away our men : but notwithstanding we have lost above 250 : a great number considering how weak our regiments are, and how ill our men of war are mann'd. But these losses, delays and lateness of the season I don't think are sufficient reasons to induce me to change the opinion I always had of our succeeding : so that I still firmly beleive nothing but the navigation of the River of St. Laurents or a force from Europe can defeat us, *etc.* Signed, Rich. King. 7½ pp. Enclosed,

46. i. Col King's Journal, May—July, 1711. May 4. The Fleet for reducing Canada and Newfound-Land sail'd from Plymouth. The 8th the Admiral sent back four men of war he brought to strengthen his squadron till we gott clear of the Capes being inform'd that M. Ducass was at sea with a strong squadron to fall on the Fleet, *etc.* May 9th. The *Mary* transport was miss'd. She had

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aboard her 80 soldiers of Col. Desney's Regimt. and a great part of its cloathing. As we had no bad weather to separate her from the Fleet, we could not conjecture what was become of her. *May 15.* The *Monmouth* man of war having sprung her foremast, the Admiral left the *Swiftsure* to take care of her till it could be mended : and order'd them both to make the best of their way afterwards to Boston. *May 21.* The *Mary* gally, which had on board cloathing, artillery and several stores for the service of the Expedition Lt. General Nicholson was to command, was detach't from the Fleet under convoy of the *Kingston* man of war for New York to deliver there to Nicholson or his order the aforesaid stores. *June 18* we miss'd 13 of the transports : and considering we had almost constantly for ten dayes before great foggs, dirty hazy weather, and often very stiff gales, of wind, it is surprizing more of them did not lose the Fleet. *June 19.* The Fleet sail'd by Cape Sables and the Seal Islands. The Admiral left off of these Islands the *Mountague* man of war to convoy to Boston such of the transports as lost the Fleet and should pass by there. The 24th in the evening the Fleet came into Nantasket harbour. Here it met with the *Monmouth*, *Swiftsure*, *Dunkirk* and all the transports seperated from us during the voyage. The *Dunkirk* lost the Fleet in giving chase to a French sloop, which she took and brought in here loaden with salt fish. The *Humber* had like to have been lost coming into the harbour by the neglect or ignorance of the master of the *Monmouth*, who placing a bouy on the wrong place of a shoal the Fleet should avoid in coming in : and depending on that, pretended to steer the ship in by it contrary to the advice of the Pilate, so runn'd her head aground. It happen'd luckily that the tide was almost spent, and the water very deep abaft the ship : so that when the tide return'd, they toad her off, not perceiving she receiv'd any damage, etc. *June 25.* In the morning Deputies from the Governour and Council came to the Fleet to compliment the General and Admiral on their arrival. They acquainted them that Nicholson arriv'd at Boston on the 8th, with two men of war and two transports, which were still in the harbour without any Instructions when to proceed to New York, where the stores aboard them must be deliver'd, that he was gone to New London with the Governour the 15th to a General Congress, etc. ; that there were two sloops under convoy of a man of war sent to Annapolis to carry provisions and orders for Col. Vetch to embark immeditely for Boston with all the officers and artillery that were not absolutely necessary for the defence of the place : and that they had letters the 23rd from Col. Vetch, which

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gave an account that Forbus the Engineer with 2 officers and 60 men fell into an embuscade of the Indians. Forbus with one of the officers and 17 men were kill'd and all the rest taken prisoners. This unfortunate affair was undoubtedly perform'd at the instigation of the French inhabiting Accadia, who have been very severely treated since the reduction of Annapolis. *The 26th.* Contrary winds prevented the transports from coming to Noddles Island, the place the Governmt. here appointed the troops to encamp on. This day the Admiral appointed a man of war to convoy Nicholson's two transports to New York : but they not expecting to sail suddenly from hence, were careening as well as the men of war that came with them, and could not be ready to sail before the 29th. This great omission of Nicholson in not sending these ships immediately away to New York was a very great mortification both to our Admiral and General, knowing how absolutely necessary it was they should be there : the arms and cloathing for the troupes that were to march by Albany, and the presents to engage the Five Indian Nations in our interest, being aboard them. This day likewise a demand was made of the Government of some stores wanting in the trayn of artillery which were promiss'd to be provided with the utmost expedition. *June 27th.* The troupes landed and encamp'd on Noddles Island, which is a mile distant from this town and opposite to it. This place is proper to encamp 8000 men on, the ground dry, the water good, and the air sweet and refreshing. Yesterday Captain Butler of the *Dunkirk* was broke by a Council of War held aboard the Admiral for giving chase without orders to the French sloop he took ; and losing company of the Fleet by the said chase. *The 28th.* Both yesterday and this day the General and Admiral had several conferences with the Governour and Council. They were in order to find out means to prevent the merchants imposing on us in our exchange. For they had already unanimously agreed not to give us above £120 of this country money for £100 sterl. in London : whereas they ever gave before from 145 to 175. That the Governmt. here should make the utmost dispatch in raising the troupes and provideing the other necessaries they were to furnish us, and oblige the country to bring in provisions of all kinds to refresh our men and save our salt provisions. They promiss'd at our arrival we should have in the greatest plenty fresh provisions of all sorts, but hitherto we found nothing less and were oblig'd to our men from aboard the transports. The result of these conferences were, that the Governmt. should lend us 2 or £3000 of this country money to subsist the troupes till the Assembly mett, July 5th : and

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that pressing orders should be given to prepare with the utmost expedition whatever this Province was to furnish, and particularly that fresh provisions should be brought in. The money was accordingly lent : and the orders given as they assur'd us. At the same time the Admiral gave in a memorial of what provisions would be necessary for the subsistence of the troupes three months ; desiring they would give an account of what they could furnish of it, and how they would propose to supply the rest. This evening the two storeships for Nicholson sail'd under convoy of the *Chester* man of war for New York. The Admiral gave orders to Capt. Mathews, Commander of this man of war, that when he had convoy'd the two storeships so far that they could proceed to New York in safety, he should sail to Cape Britton and cruise betwixt that place and Placentia till our Fleet should pass by thence. *June 29th.* The General order'd to be provided with all possible diligence 30 horse with harness, eight waggons or tombrils, and all things necessary for their transportation. The reason he order'd these things was grounded on the certain information he had that there was near 100 pieces of cannon in Quebeck : that in opposition to these it would be necessary to make the greatest fire we could and therefore a vast number of hands must be constantly employ'd to draw the canon, mortars and ammunition for that service ; which in all probability we should not be in a condition to spare, if a great number of seamen must always remain aboard to preserve our ships from fireworks we were inform'd the enemy had prepar'd to destroy them. These fireworks are said to be made on great floats of timber, which they design to send down with the tide to the part our fleet shall anchor at, and as the ebb is excessively rapid and that these floats sink near 4 foot in the water, they hope we shall not be able to toa them clear of our ships and consequently that they will either burn them, or oblige us to cutt our cables to avoid them and so be drove ashore by the tide. *July 1st.* The General receiv'd an express from Col. Hunter, whereby he acquainted him that the provisions he was to provide in his Governmt. for our troupes were ready, but that he had no man of war to convoy it hither. Upon which an order was dispatch't to New York for the first man of war that should arrive there to take immediately into his care what transports with provisions Col. Hunter should order to be deliver'd to him, and convoy them hither with the utmost expedition. Col. Hunter's express brought likewise an account that the *Kingston* man of war detach'd from the Fleet at sea with the *Mary* transport was not yet arriv'd at New York. This want of convoy for our provisions from New York, is entirely owing to Col.

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Nicholson's neglect in not sending at his arrival here the two transports with stores immediately away for New York, under convoy of the two men of war which brought them hither. For these were design'd to convoy to us what provisions we were to have from thence. Thus has he not only risk'd dissappointing the diversion he is to make, but even the whole expedition by detaining us here for want of provisions, till the season is too far advanc'd. *July 2nd.* It plainly appear'd the Governmt. here did not put in execution any of the promisses they made us. For the bread we contracted for, to subsist our men during our stay here, was not deliver'd. The fresh provisions, which was to be brought in, in great plenty, was not sufficient for the quarter of our troupes. And all other things to be provided, were brought us with that sloath and indifference, there could be no fixing any time when they would be finish'd. For these reasons and that the Governmt. and Council had sent no answer to the Admiral's memorial: the General sent the Governour and Council a message to represent to them our condition, and the treatment we mett with: to let them understand how different it was from what H.M. could reasonably expect in return for the vast expence she had put herself to in commisseration of them. That any one who would read their several memorials to the Queen and her Ministry, wherein they represented in the strongest terms the deplorable condition they were reduc'd to by the frequent incursions of the French and their Indian allies: by their loss of trade, and the great expence they were at in maintaining troops to defend their frontiers; could not imagine they would defeat this great effort her Majesty was so graciously pleas'd to make in their favour by not giving provisions and whatever else was necessary for carrying on vigorously the Expedition: that H.M. could not but resent so undutifull, so ungratefull, so unjust a return: and that if out of her great tenderness and indulgency for her subjects she should be inclin'd to pardon them, would not the Parliament interpose, and beg her Majesty to do justice? That therefore he hop'd they would seriously reflect on what they were doing, how far the season was advanc'd, and the length and difficulty of the voyage to Quebeck: that they would make proportionable dispatch with the provisions and other things demanded of them, and lend the troupes £5000 more in their bills, and settle the exchange for it at a reasonable rate. Upon this message they lent the £5000 and issued a Proclamation to order search to be made for all provisions fitt to be sent to sea; that it, and whatever ships came into the harbour with anything that could contribute to victual us, should be secur'd for H.M. Fleet and troupes *etc.* (*v. No. 44 iv.*) *July 2,*

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3, and 4th. Diligent search was made for all the provisions in town that were proper to carry to sea. All they discover'd they mark'd for the Queen's service, taking an exact list of the quantities of each kind and where they were lodg'd. The 5th, this list was laid before the Governour and Council, with a memorial from the General and Admiral, wherein they desir'd that they would fix the prizes of each species contain'd in the said list : that they would order the delivery of them immediately to our Commissarys, and settle the exchange of money, that bills might be given for the said provisions and what other things we should be furnish'd with here. In the said memorial they recommended to them the utmost dispatch, shewing that the success of the expedition depended entirely on our speedy departure from hence. This evening in compliance to the said memorial they fix'd the prizes of the provisions, and order'd them to be deliver'd to our Commissarys : and the Assembly or Parliament of this country (which mett here yesterday) settled the exchange of money at 140 per cent., which is 10 or 15 per cent. less than it usually is at. But our necessities oblig'd both our General and Admiral to accept of it at this rate. July 7th we had advices from Col. Hunter that no man of war was yet arrived to convoy to us the three months provisions he had prepar'd for us ; that besides this quantity he could furnish us with what wheat and peas we should have occasion for, upon which the General and Admiral dispatch'd an express to him to desire him to send all the peas and wheat he could procure along with the three months provisions : and that if they were gone before this advice should come to his hands, he should send them by the first opportunity after us, and particularly that the two frigates which were to cruise off his coast should be likewise sent, they being absolutely necessary to assist us in our navigation up the River of St. Laurents. The 10th the General reveiw'd our European troupes : and found that they all amounted to 3500 effective men. This day the Admiral came to a resolution of sending home the *Devonshire* and *Humber*, being assur'd by all the pilots we take from hence, that it was impossible to carry them up the River of St. Laurents without running great risque of losing them. July 9, 10, 11, 12, our Commissarys and Agent Victuallers were employ'd in makeing the distribution for the fleet and army of the provisions found in town, and buying three transports to load with a sufficient quantity of wheat, rye, and Indian corn to subsist the troupes with bread for three months. The General order'd this corn to be provided, because that all the provisions we should be able to gett here, would only compleat what we had aboard to three months, and that

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if any accident should prevent the provisions for New York to join us before the River of St. Laurents should be froze up our troupes would run a great risque of perishing before supplys could be sent them the next sommer. *July 11th.* Capt. Cockburn, Commander of the *Saphire* was sent to Annapolis for Col. Vetch and such artillery stores and officers belonging to it as were not absolutely necessary for the defence of the place. As soon as he had put all things aboard at Annapolis he had orders to return hither, provided he could do before the 25th instant : otherwise that he should cruise off of Cape Sables, and join the Fleet as they pass'd by there for Canada. *July 14th.* Lt. General Nicholson arriv'd here from New York and Col. Vetch from Annapolis. The first brought an account that in 8 or 10 dayes the troupes he was to make a diversion with from Albany would be marching towards that place. That expresses were sent to the five Indian Nations in allyance with us, to desire their attendance at Albany : and that he beleiv'd they would be there before the 25th instant. That he did not doubt but they would heartily enter into what measures Col. Hunter and he should propose for attacking with all their power our common enemy the French and their allies. That he did not expect his full compliment of troupes from any of our Provinces, especially from New York and Pensylvania : and that he hop'd the boats, canoes, provisions and other necessaries would be ready by the time the troupes would assemble. He could give no tolerable reason why he did not on his arrival here send to New York the two transports with stores, the want of which and a convoy for our provisions he own'd to be a great detriment to the whole undertakeing. Col. Vetch brought an account that the French Indians in Accadia summon'd the Fort at Annapolis to surrender a few dayes after they had defeated the party he sent to cutt timber to repair it : that they afterwards block'd it up for four dayes and then retir'd : that the Fort was at present in a tolerable good condition and fitt with the garrison in it to resist any force the enemy can raise in that country against it : and that he would have brought all the officers, men, artillery and stores that good (= ? *could*) with safety be spar'd : but that the sloop he came in was so smol, it would not contain the quarter of them. *July 17.* Capt. Harrison, General Hill's Aid de Camp arriv'd here from New York. He was sent with the *Kingston* man of war and the *Mary* transport detach'd from us at sea, with letters and instructions for Col. Hunter and Lt. Genl. Nicholson : and to observe how forward they were in raising the troupes and provideing the provisions etc. He brought an account that he only arriv'd at New York the 12th inst. with *Kingston* and *Mary* transport being detain'd in

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their passage by contrary winds calms and currents. That Col. Hunter acquainted him that most of the troupes to be rais'd in this Government were ready : that the boats and other necessarys prepareing for Lt. Genl. Nicholson would be finish'd by the 21st instant : and that now the two storeships were arriv'd from Boston with the cloathing arms *etc.*, he hop'd to have his men and whatever he was to provide for the expedition from Albany ready by the latter end of this month. The 20th, all our troupes were reembark'd to prevent desertion : and to save the salt provisions, the Agent Victuallers were ordered to deliver fresh every two dayes. The 22nd. All the last week we were employ'd in putting the artillery stores and provisions aboard : in watering and fitting out all the transports : and getting ready with the utmost expedition the *Windsor* man of war appointed for our General since it has been resolv'd to send back the *Devonshire* with the *Humber* to England : and as it was discover'd about 12 dayes ago that one of our transports which carry'd 300 men of Col. Kirk's regiment was not in a condition to proceed further : two vessells were taken up here for that purpose, and are prepareing with all possible diligence. This day three of the Sachems or Kings of the Five Indian nations of Iroquois our Allies arriv'd here. They were deputed by all the five Nations as their Plenipotentiaries to our General and Admiral on account of the present expedition : and to see what men of war and troupes we had here for that service. For as this Fleet did not come two year ago and last year as they were assur'd they would, they did now [*? not*] expect it or beleive it was arriv'd here. July 23. They had their audience of our General and Admiral. The substance of their speech was that with much fatigue they came a great way in hot weather to see them : that their troupes were already on their march and would be at Albany by the latter end of this month : that the fine season would be over before we could finish our expedition, therefore advis'd the Admiral to take of his great canoes or men of war : and that as they were now assur'd we design'd to prosecute vigorously the war against the French and their allies, they would heartily employ all their force in our assistance as good friends and brothers. The General and Admiral treated them with great civility : made them presents in the usual manner : gave them all imaginable assurances of the Queen's protection and the great esteem she had for their nations : shew'd them our troops and fleet : and did all they could to imprint in them great ideas of the Queen and make them long to be under her Governmt., and to be fellow subjects with those men that they saw command armys and fleets so vastly superior to any ideas they ever had before of either.

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The 24th, the New England troupes embark'd tho' their transports were very far from being ready to receive them. No sailors aboard : and except provisions and water, beds and all other necessaries were in a manner wanting. The reluctancy and ill nature that these people shew'd to serve us and forward the Expedition upon all occasions before : did not near so fully demonstrate their perverse and wicked intentions as this great neglect : it being evident to anybody that has seen this country, that they could fitt out and man twice the number of vessells they were to furnish for this Expedition in much less time than they have had to do it in. Therefore I can't imagine what their designs could be by all these delays if they were not to delay us here, till the advanc'd season of the year will probably defeat us. And what almost confirms me in this opinion is, that it's certain that those who rule and proffitt by their present dissorderly Governmt. now see how reasonable it is to change : that the conquest of Canada will naturally lead the Queen into it : and shew her how absolutely necessary it is to put all this Northern Continent of America under one form of Government for the real good of the present Coloneys: for the establishing of others : for their mutual support : and the vast advantages that will thereby accrue to great Brittain. One of the three men of warr we have now cruising betwixt Cape Britton and Newfoundland took the 12th inst. a French vessell of 14 guns and 120 tunns, loaded with wine, brandy and bale goods, and sent her in here. She brought an account that she left France June 9th in company with two other merchant men all bound for Quebeck. That off of Rochelle they join'd a fleet of theirs of 15 men of war and about 20 merchant men commanded by Monsieur De Guy. This fleet they kept company with till they were about 100 leagues off of Cape Finistre, when they directed their course to the westward for Quebeck ; the fleet keeping a southerly course. Monsieur De Guy had not open'd his last orders when they left him : but all people concluded he was bound for Barbados, Jamaica, or Brazil, tho' some private letters taken aboard this prize say possitively that he is to come to this country if he can't relieve Quebeck, which they suppose in France already lost. Nine of the 15 men of war are ships betwixt 50 and 76 guns. The prize and the two merchant men which came out of France with her, had each of them 30 recruits aboard for the troupes in Canada. *July 26th.* This country gally eame in here, and brought under her convoy from New York seven sloops loaded with provisions, which we have distributed aboard our transports. *July 29th.* Some officers arriv'd here from Annapolis and brought letters for our General from

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Sir C. Hobby, Depty-Governour of it : wherein he inform'd him that he call'd a Council of War upon the receival of his letters sent him by the *Saphire*, for the marines, and all the officers and ammunition that was not necessary for the defence of his garrison ; that the majority of the Council of War was of opinion that the marines could not be sent away without endangering the loss of the place : that therefore he kept the said marines and 100 men of the New England troupes which were sent to releive them. The stores that were order'd to be sent Sir Charles takes no notice of in his letter : but the officers who came from thence assure us, he sent none. Wherefore Col. Vetch being of opinion that 100 of the marines and a great part of the artillery stores (which we really wanted) could be well spar'd ; our General and Admiral order'd Capt. Southwyck, Commander of the New England gally, to sail with a brigantine to Annapolis, for them ; and that as soon as he had put them aboard he should follow the Fleet with all diligence. And as the New England transports were mann'd out of the said gally, Governour Dudley was desired to be aiding in remanning her with the utmost expedition. And lest Sir Charles Hobby should again evade sending the aforesaid marines and stores, possitive orders were now sent him by Capt. Southwyck for the delivery of both. *July 30th.* Having at last gott all our Fleet victuall'd for 3 months, and the New England transports mann'd, we all sail'd out of Nantasket or Kingroad Harbour with a fair gale at S.S.W. to pursue our expedition. This morning several merchants at Boston had advice from Barbados that Monsieur De Guy was arriv'd with his squadron at Martinico. Lt. General Nicholson was to sett out this day from Boston, for New York, and thence to Albany, where his troops were assembling to make the diversion. As we had advice on Saturday that the boats, provisions, and all other necessarys for the said troupes were ready, 'tis probable he will be at Lac St. Pierre by the time we shall gett to Quebeck, which will effectually answer the design of his expedition. *Aug. 3rd.* We sail'd by Cape Sables with all our fleet. *The 10th* the *Saphire* join'd the Fleet off of Cape Britton. Capt. Cockburn, Commander of her, brought an account that Annapolis was still block'd up by the French and Indians : that Sr. C. Hobby had made a sorty on them but to no great purpose : and that he could neither gett the marines or stores he was order'd to bring from thence for the reasons Sir Charles sent before. He brought likewise an account that the *Chester* and *Leopard* men of war, which were to join the Fleet off of Cape Britton, were wating in Spanish River : that the *Chester* took a sloop belonging to Placentia, which gave intelligence that they were all appriz'd

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there of our arrival at Boston : that they were under the greatest apprehensions of being attack'd, tho' they were assur'd our design was against Canada : that they had sent several sloops to Quebeck to give Monsieur Vaudreul the Governour timely notice to be on his guard : and that several ships were coming from Provence to his releif. *The 11th.* The Admiral resolv'd not to send home the *Devonshire* and *Humber* off of Cape Britton as he first design'd : but to take them with us to the Island of St. Paul ; and there leave them to cruize 20 dayes betwixt that place and Cape Ray before they return'd. And that he might have an account of all occurrences they should meet with, he left them the prize sloop to send after him to Quebeck when they left their cruize. The reason the Admiral came to a resolution of ordering these two men of war to cruise, was that he might by that means take along with him the two men of war, which he should otherwise be oblig'd to leave cruising at the mouth of the River St. Laurents. *The 12th.* The *Chester* and *Leopard* join'd us betwixt Spanish River and St. Paul's Island. 29 $\frac{1}{4}$ pp. [C.O. 5, 898. Nos. 11, 11 i.]

July 26.

47. Address of the General Assembly of New York to the Queen. Being sensible in the highest degree of the many blessings wee have enjoyed dureing your Majesties most happy and glorious reign, wee humbly take this occasion to tender your Majestie our due acknowledgments and hearty thanks for the same and in particular for your Majesties great grace and favour in the present Expedition to reduce Cannada and Newfoundland entirely to your Majesties subjection and dominion, which as its grounded not only on the many wrongs, injuries and losses sustained by your Majesties good subjects from those French ineroachments but in the vast advantages will acrew to the Brittish Empire on the success of the undertakeings is an undeniable proof of your Majesties great prudence and inimitable goodness to and care of all your subjects. Wee do not fail in using our utmost endeavors in contributing towards attaineing the desired end (which with the favour of Allmighty God) seems indisputable and its our hearty prayers this and many other conquests may be added to your Majestie with a long and prosperous reign. *Signed*, W. Nicoll, Speaker. 1 p. [C.O. 5, 1091. No. 40.]

July 26.

48. Address of the General Assembly of New York to the Queen. Wee your Majesties most dutiful and loyall subjects of your Colony and Plantation of New York in America in Generall Assembly convey'd and mett, most humbly crave leave to offer to your Majesties most royall consideration. That not only during the whole course of the late and present warr with France this Colony has been greatly burthen'd with extraordinary levy's for it's defence against the common enemy, but the charges of

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the ordinary support of the Government has been very great and exorbitant in proportion wth. the Colonys adjacent. That this your Plantation (tho' one of the least in your Majesties Dominions in America) has long labour'd under many hardships and difficulties, by reason whereof our trade is decay'd, the rents of houses and lands decreased, the little wealth it possest and the best and most industrious of its inhabitants drein'd into the neighbouring Colonys, induced by the ease and indulgence of the Government in those parts. That in the last intended attempt on Canada, induc'd by the commands of your Majty. and the solid reason of the design, wee not only chearfully supplied our proporcon of men allotted, tho' very unequall to our neighbours (Connecticut having twice as many and New Jersey an equall number of people) but solely bore the charge of victualling the five Nations and all other Indians, your Majtie's. standing fforces, the building and making all the battoes and canoes, and many other incidentall charges too many to enumerate to your Majesty. That in the present expedition (to which Almighty God grant good suceess) altho' wee are very sencible of the vast disproportion of the men and money required of us compar'd with those in favour of our neighbours, yet with all alacrity wee are doing out utmost to obey your Royall commands, tho' our extream poverty and inability obstructs our inclinations to fulfill them as wee desire. The disadvantages wee sink under its our apprehension must proceed from the sinister insinuations made to our prejudice, the misrepresentation of the state and condicon of this Colony by such who find it their interest to be our enemys, and the want of a person fitly authorized and enabled to speak and act for us at your Majty's. Court and upon all occasions to appear in our behalf and answer to such matters and things as may concern this Colony. Wee therefore are most humble suitors to your most sacred Majestie that graciously weighing our present and past circumstances you will please to accept of our most hearty endeavours as farr as wee are able, and that wherein wee are deficient, your Majesties Royall commisseration, clemency and bounty will supply the defects, and grant us such farther releif as is agreeable to your Majesties great goodness and justice, etc. *Signed*, By order of the Genll. Assembly, W. Nicoll, Speaker. 1 large p. [C.O. 5, 1091. No. 42.]

July 26.
Whitehal.

49. Mr. Popple to the Secretaries of the Treasury. The Council of Trade and Plantations have examined into the matter of the *Robinson* frigate. It appears to their Lordships that the words have been rased as Mr. Spotswood observes. (v. July 17, and 20th). [C.O. 5, 1363. pp. 329, 330; and (rough draft) 5, 1335. p. 126.]

July 26.
Whitehall.

50. Council of Trade and Plantations to the Queen. *Representation upon the petition of Lord Baltimore* (v. Feb. 7, March 10, July 21). We have heard his Lordship by his Counsell, as also Mr. Solicitor Generall in behalf of your Majesty, whereupon we humbly represent, that it appears that in 1689 severall articles

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of complaints were exhibited by the inhabitants of that Province against his Lordship and his officers. *Quote preamble to Col. Copley's Commission 1691. v. July 21 supra.* Whereupon we are humbly of opinion that it will best conduce to the safety of that Province, and to the alaying the fears and quieting the minds of the people there, to continue the Government, as now it is, under a Governor of your Majesty's immediate appointmt., at leastwise during the present war, and till the dangers and inconveniencies which may arise from any new alteration be more fully removed. [*C.O. 5, 727. pp. 291—293.*]

July 26.
Whitehall.

51. Mr. Popple to Mr. Attorney General. The Council of Trade and Plantations concur with you in your report upon the petition of Lord Baltimore, (*v. July 21*) and have this day signed a representation to H.M. conformable thereto. [*C.O. 5, 727. p. 294.*]

July 27.
Whitehall.

52. Council of Trade and Plantations to Lt. Governor Bennet. *Enclose warrant of July 10 relating to Day's house, with instructions to proceed accordingly.* [*C.O. 38, 7. p. 20.*]

July 27.
Boston.

53. Brigadier General Hill to Lord Dartmouth. Encloses and recommends following. *Signed, J. Hill. Enclosed,*

53. i. Memorial of Col. Whitney, Capt. Bartlett and Ensign Cocksedge to General Hill. The above were wounded and taken prisoner in the fighting about Annapolis Royal. Pray for relief in the matter of ransom *etc.* *Signed, Willm. Whiting, John Bartlett, John Cocksedge.* The truth of the above testified by Sam. Vetch. 1 p. [*C.O. 5, 9. Nos. 7, 8.*]

July 28.
Nevis.

54. Lt. General Hamilton to the Council of Trade and Plantations. The great hurry and fatigue I have had whilst I was at the head of this Government by frequently pursuing the enemy, whilst I had the man of war to attend me, has bin the occasion I could not send home the severall acts past for the sundry Islands in my time, which as soon as I had any leasure I sent to the sundry Deputy Secretariys for and now transmit them to your Lordships for H.M. royal approbation *etc.* I have sent the copy of your letter relateing St. Christophers to the Lt. Governour of that Island. I am but just arrived at this Island, so have nothing to ad at present. *Signed, W. Hamilton. Endorsed, Reed., Sept. 28, Read Nov. 27, 1711.* 1 p. [*C.O. 152, 9. No. 90 ; and 153, 11. pp. 403, 404.*]

July 28.
Virginia.

55. Lt. Governor Spotswood to Lord Dartmouth. *Repeats concluding portions of July 25 q.v.* Upon advice that some of the chief of Mr. Cary's factions were come into this countrey, the Council advis'd the issuing a Proclamation for apprehending them till they should give security for their good behaviour, for no Governmt. can be safe that has in it such dangerous incendiarys *etc.* *Signed, A. Spotswood.* 3 pp. [*C.O. 5, 1337. No. 12.*]

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July 30. Windsor. **56.** Order of Queen in Council. Appointing John Carver to the Council of Jamaica. *Signed*, John Povey. $1\frac{1}{4}$ pp. [C.O. 5, 11. No. 67.]
- July 30. Windsor. **57.** Order of Queen in Council. Approving of Edward Hyde as Governor of North Carolina, provided he qualify himself and give security *as proposed July 12.* *Signed*, John Povey. *Endorsed*, Recd. Aug. 25, Read Oct. 23, 1711. $1\frac{1}{2}$ pp. [C.O. 5, 1264. No. 121 ; and 5, 1292. pp. 321, 322.]
- July 30. Windsor. **58.** Order of Queen in Council. Referring enclosed to the Council of Trade and Plantations for their opinion. *Signed*, John Povey. *Endorsed*, Recd. Aug. 10, Read Sept. 12, 1711. $1\frac{1}{2}$ pp. *Enclosed*,
58. i. Address of the Minister, Churchwardens and Vestry of the Church of St. Mary in Bridlington, New Jersey, to the Queen. Most dread Sovereign, The transcendent affection to and care of the Protestant Religion and Church of England that your Majty. hath at all times and on all occasions given the greatest assurance of and more especially in your late speech to your Parliamt. emboldens us your Majty's. dutyfull and loyall subjects to lay in the most humble manner the following Address at your Majty's. feet. We have by too fatall experience found that the admission of Quakers into offices of the highest trust in the Governmt. such as the Councill and Assembly hath very much retarded your Majty's. service, obstructed the peace of the Province, and above all extreemly damp't the increase and progress of the doctrine and discipline of the best of Churches, the Church of England. But what can hinder the intire ruin of our Church and State, if these enemys of both, who never want the will when they have the opportunity to hurt us be empowered by a law to destroy our religion, lives, libertys, reputations and estates at their pleasure. The danger of wch. has of late been but too apparent from the cunning address and interest of the Quakers of this present Assembly, who procured a Bill to be passed in the house of Representatives (ten of that persuasion being then sitting members there) to enable them to give evidence in criminall causes, serve on any juries, and enjoy places of profit and trust in the Governmt., wch. being so contrary to the laws and statutes of your Majty's. Kingdom of Great Britain, was to the great satisfaction of your Majty's. good and loyall subjects the members of the Church of England rejected by your Majty's. Councill here. And tho' we should not presume to intermeddle in the affairs of another Province, especially in their making of Laws, if they had not too great an influence on the temper, humour, and inclinations of a great number of the inhabitants of this your Majty's. Colony, yet our common safety requiring our

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utmost opposition to whatsoever may endanger those things we justly think most dear and valuable to ourselves and our posterity, we further crave leave to acquaint your Majty. that the Quakers have lately past an Act in our neighbouring Colony of Pensylvania constituting a new form of protestation repugnant to the affirmation enjoyned them by Act of Parliamt. in Great Britain in which the name of God is entirely omitted thereby slighting the indulgence the laws have allowed them and setting up for themselves, doing whatsoever seems good in their own eyes. How far such dangerous and pernicious practices may tend to the destruction of the very being of our constitution of Government, and what security we have for the enjoyment of our undoubted rights and priviledges either ecclesiasticall or civill we most humbly submitt to your Majty's. most wise and just determination, not in the least doubting but the rays of your Royal benignity will equally shine on us in this distant wilderness with the rest of your Majt's. subjects to our great satisfaction and comfort, *etc. etc.* *Signed*, Hu. Huddy, Dan. Coxe, Tho. Revell, J. Bass, John Talbot, Alexander Griffith, Daniell Leeds, George Willis, John Lammell. *Copy.* 3½ pp. [C.O. 5, 1264. Nos. 118, 118 i.; and 5, 1292. pp. 315-319.]

July 30.
Windsor.

59. H.M. Warrant, granting to George Clarke, Secretary of New York, leave of absence for one year, *etc.* *Countersigned*, Dartmouth. [C.O. 324, 32. p. 101.]

[? July 31.]

60. Lt. Governor Spotswood to [? Lord Dartmouth.] Since my letter of 28th current, I received information that Col. Cary and some of the principal ringleaders in the late disturbances in Carolina were come to this place: whereupon not judging it consistent with the peace of this Governmt. to suffer such incendiarys to remain here, I thought fitt to examine them touching their intentions in coming into this Government. They alledged they came hither to gett a passage for England, that they might justify themselves before the Lords Proprietors for what they had done; but withall refused to give any security to answer there; and finding so much shuffling and evasion in all their discourses, as plainly show'd they intended nothing less than to stand a tryal; I have thought fitt to send them home by the men of war of this convoy, that they may be made accountable for their actions either before the Lords Proprietors of Carolina or in such other manner as H.M. shal think fitt. I have directed the Commodore upon his arrival in England to give your Lordp. immediate notice, and wait your directions for the disposal of the prisoners. And I must humbly offer my opinion, that if measures are not taken to discourage such mutinous spirits, especially when they are so audacious as to take up arms, and even to confederate with savages, it may prove a dangerous example to

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the rest of H.M. Plantations. *Signed*, A. Spotswood. 2 pp.
[C.O. 5, 1337. No. 13.]

July 31.
From on board
the *Windsor*
at sea.

61. Brig. General Hill to Lord Dartmouth. Sir Hovenden Walker having thought fitt to send home the *Devonshire* and *Humber* from this place, I take that occasion to acquaint you with our safe arrivall in Nantaskett Road June 24th with all the men of warr and transports, except one which had two companys of Col. Desneys Regiment and their cloathing on board, that lost company with the fleet before wee gott the length of Scilly. The troops landed in much better condition then wee expected, after a voyage of eight weeks, and those which had been embarqued the longest were in as good health as the others ; I referr you to the Admirall for a particular account of our passage, and to the inclosed copy of that part of my Journall which relates to our transactions with the Government, and inhabitants of Boston, concerning provisions *etc.*, which have been attended with more difficultys and disappointments than are proper to transmitt to you at this distance. It was unlucky that Mr. Nicholson did not arrive in North America, with notice of the intended Expedition before June 8th last, which would not only have been a great advantage in the timely preparation of provisions, but also put H. M. affairs into such a posture as would have secured them from the present necessity of being a prey to the marchants of North America. *Refers to Journal.* The first offer the marchants of Boston made was £120 of their country money for £100 sterling, and in severall dayes distance between whiles, came up, by ten pounds at a time to £140, after they found nobody would conive at or share with them in their exorbitant gain on the publick's necessity ; which the Assembly established by regulating the exchange on that foot, and voting a loane of £40,000 to be struck in their paper money, to be advanced for subsisting the troops *etc.* as there should be occasion ; this was the effect of many days solicitation, and I had the good fortune to carry the point, but few hours before Col. Hunter informed me from New York, that the Councill of that Colony would not come up to above 130 p.c., which he was obliged to close with, or leave the service undone. But this 10 p.c. which wee have gained upon the New England people, more than the exchange settled at New York, wee are obliged to part with to the troops, in that share of the loane which goes to the payment of their subsistance, who, according to the practice at home and in Holland, are payd their full pay, without discount of tallys or deduction of exchange, so are obliged to pay them at the rate of £150 p.c., which could in no wise be avoided, for upon paying their subsistance in English money, when they landed, before wee could gett paper money from the country, they found an English shilling, which specie they had a right to be payd in, went currantly for 18 pence, and I thought it intirely for the service to reserve the little English money I brought from England with me for the many necessary uses we should have for it in a siege, in so distant a country, in case wee should not be so happy as to be supply'd from home

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with specie, or find some expedient to answer the want of coin'd money at Quebec. Many letters have pass'd between Col. Hunter and myself during my stay at Boston touching the levys and procurement of provisions in his and the neighbouring Governments, ordered by our Instructions for three months for the Brittish troops, but I finding that wee must expect the greatest part of the pork from Virginia and Maryland, and only flower, biskett and butter from New York, all which he could only bespeak after he had notice of the Expedition, was of opinion it could not possibly be sent time enough to us at Boston, or before it would, it would be too late to go to Quebec, therefore considering this and the many rubbs he mett with and the great uncertainty of his getting the other species of victualls, made me resolve to gett all the provision I could in New England, at the most reasonable price the Government would establish, and to make the best of my way to Canada, choosing rather to leave our future supply to Providence and the care of Col. Hunter (who on all occasions, to do him justice, has shewn an uncommon zeal and indefatigable application for the service of the expedition) than to be a day too late in putting to sea. You will agree with me that this was the only expedient wee could find to retrieve the misfortune of Mr. Nicholson's late ariyall in these parts, especially when I tell you that Col. Hunter acquainted me not many dayes before wee sayled from Boston, which was the 30th of this month, that the Colony of Maryland had baulked him, the Councill refusing to order the Receivers to part wth. the money in their hands, and wee had only eight small sloops loads, which came from New London two days before wee sayled, of all the provisions wee expected from Col. Hunter, the rest being to follow, so if extraordinary means had not been used to find out hidden provisions at Boston, wee must have stay'd for Col. Hunter's, and the season being already farr advanced, the consequence might have been fatall. When I came from Boston I left it in charge with the Governour, to procure a certain quantity of beef, pork and pease in lieu of that wch. should have been bought up in Maryland, to send after us in all the month of October which is the longest time of the year that the River of St. Laurence is open, and I have desired Col. Hunter to correspond with and assist him in it, I having left an officer to sollicite the matter at Boston. In obedience to the 4th Art. of my Instructions, I detached the *Mary* transport, and the Admirall sent the *Kings-ton* with her to New York, where she arrived very late, (*v. Journal enclosed*), but I hope not too late to supply the New York people with arms *etc.*, nor the Indians with H.M. presents, the compleat number of the former being raised, and Col. Hunter having made up the 4 independent companys with Palatines into a Regiment, they will be marching from Albany towards the Wood Creek, much about the time that wee gett to the mouth of the River, as Col. Nicholson and I have concerted it. Col. Vetch being at Annapolis when I arrived at Boston, I gott the Admirall to send the *Saphire* with two companys of New England men to relieve the marines, who are reduced to a small number, by reason of

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the French and Indians having killed and taken a party of the garrison lately, and therefore I desired but 100, tho' the 8th Article of my Instructions enjoyns me not only to take all the marines, but such other men as may be proper for service, putting others leveyd in New England to serve in the garrison in their stead. I desired likewise that such Cahorne mortars and ordnance stores as could be spared might be sent at the same time ; but Coll. Vetch was come away in the country sloop before the *Saphire* arrived at Annapolis, and Sir Charles Hobby, who was appointed Deputy Governour, has thought fitt to disobey my orders, in not sending the marines, Cohorne mortars or ordnance stores, aledging many groundless reasons, which Col. Vetch says are every one false, for excuse ; so I have thought it for the service to repeat my orders to him, for sending the marines *etc.*, by another of the country vessells. *Refers to enclosure ii. q.v.* I have for the present consented to this method, till H.M. pleasure be further known, since the Government can be no loser thereby. You will also receive a prented declaration by way of manifesto in favour of the French and Indians in Canada and Nova Scotia, who shall peaceably submitt to H.M. Wee have lost some men by death since our landing, and the people of the country by favouring and concealing the escape of deserters, have, for their own advantage, in spite of all the care that could be taken, seduced too many of our men, which could not be recruited because of the great price of labour in the Colonys : and as for restraining the men in their dyet according to the 5th Article of my Instructions, there was no need of it, because their pay was but just sufficient to afford them common refreshment, meat being raised to 3*d.* in the pound, and every thing else in proportion, for the people of the country could by no perswasion be brought to settle a markett. I may venture to say one thing more in relation to that Art., that troops were never guilty of less disorders than these have been in New England, for I heard of none in prejudice of the country ; some negroes indeed listed themselves voluntarily to serve, which the officers were willing to entertain in lieu of the men that had been stol'n from them, but upon application I imediately ordered them to be discharged. Wee sayl'd yesterday morning with a favourable wind from Nantaskett Road, towards the River St. Lawrence, where wee hope to be in a few dayes. I pray leave to referr you to Admirall Walker for an account of the navigation of that River, and all other matters relating to his element. And the accounts wee have had of the strength and scituation of the town of Quebeck, differing so much from one another, I leave it to Coll. King who can give you the best information. I have directed the Deputy Paymaster to draw on the Paymaster of the forreigne troops for £23,889 15*s.* 1*d.* sterl. *P.S.* I fear it will be so late in the year before Quebeck is over that wee can attempt nothing on Placentia. *Signed, J. Hill. 12 pp. Enclosed,*

61. i. General Hill's Journal, June 25—July 29. *June 25,*
1711. The fleet and transports under command of
Sr. Hovenden Walker having come to an anchor over-

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night in Nantaskett Bay, within two leagues of Boston, the Secretary of the Province of New England with a Committee of the Councill in the absence of ye Governor came this morning on board the *Devonshire*, and invited the Brigadier to the town of Boston, where he and the Admirall we[re] received with the ceremonys usuall on such occasions, this day no Councill was held but the Brigadier was informed that Francis Nicholson, Lt. General of the Forces raising in America arrived here with the *Leopard* and *Saphire* and the *Joseph* and *Neptune* transports ye 8th of this month and that all those ships were here as yett, and no order given for their sailing to New York, the *Leopard* being now a cleaning and the *Saphire* but just clean'd, was thought to be a great part of the reason of this unaccountable delay, which was attended with the ill circumstance of the Brigadr. hearing nothing from New York of the arrivall of the *Kingston* and *Mary* transport laden with stores etc. for the use of the forces to be raised in that and the neighbouring Governments, however that no more time might be lost it was immediately agreed that the *Sunderland* should forthwith saile with the two transports to New York, which transports were to bring back as much of the provisions furnisht by that Province as they could carry. The Brigadr. was likewise informed that the flat-bottom'd boats and other things, mention'd in Col. Dudley's Instructions necessary for disembarking the troops and carrying on a seige we[re] getting ready at Boston, etc., and he ordered the Coll. of ye Train, Mr. King, to take upon him ye direction of that work. This above-mentioned Committee told the Brigadr. that they had received an account, that a considerable number of the Garrison of Annapolis Royall was lately killed, and taken prisoners by the French and Indians, and that of two sloops lately sent thither with letters and provisions one was return'd for want of convoy, upon wch. the Committee who in the afternoon attended the Brigadr., desired that a man of war might be immediately sent, with such of the New England forces as were design'd to relieve the marines of that Garrison, which forces they say'd would be ready to parade on Saturday next, the Brigadr. agreed thereto, and the Admirall being present say'd he would order the *Saphire* being a clean ship to perform this service, and when shee had taken the marines on board, her Capt. should be directed to meet the Fleet off Cape Brittain in its way to the River of St. Lawrence. The Brigadr. was told that one Monsr. Larone, being sent from Placentia with a flagg of Truce to this Government, was confin'd a close prisoner to the Castle on the Island. June 26. The Secretary of the Province and a Committee of Councill attended the Brigadr. this morning, who told him it was absolutely necessary that

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Col. Vetch and Col. Whiten now at Annapolis should be forthwith sent for, they being very much wanted here, and they having no other way to bring them but by a man of warr, they desired one might be sent. Accordingly the Brigadr. writt to ye Admirall on that subject, they also represented the danger that Annapolis was in, by reason a French man of war had lately gon into an adjacent port to clean, and that one of our men of warr would on that occasion give great countenance to the Garrison, which they apprehended had not as yett any account of the arrivall of the fleet and land forces in America. *June 27.* Governor Dudley attended the Brigr. this day with the Minutes of the Councill of Warr lately held at New London in pursuance of H.M. Instructions, and the troops were this afternoon landed and encamped on Nodles Island. *June 28.* The Brigr. and the Admill. were present at a Councill called by Coll. Dudley to whom it was represented that the Brittish troops being landed, they would be in want of fresh provissions, as well for their refreshment, as to save the salt provissions, which was found at present very scarce in these provinces, and the Brigadr. having spoke to some merchants to furnish ready money for carrying on this service, had found them so unreasonable in their demands that he was obliged to have recourse to the Government for redress ; after some debate it was agreed that £3000 should be lent for the use of the forces out of the Treasury of the Province, to suply the present necessity, till such time as proper measures could be taken, either to bring the merchants to reason, or to suply the troops, by such methods as the Genll. Assembly could fall upon, they being sumoned to sett in a few days. *June 29.* This day the Brigadeer din'd with the Governour at his house at Roxborough, and he presented to him one Mr. Harman, a Lieutenant in the American troops, who was just come from Canada, and gave a pretty distinct account of the scituation and strength of Quebeck, where he had been a prisoner for — months. *June 30.* This morning the Governour visited the Brigadr., who represented to him the fatall consequence that might attend the delay wee meet with here, and if some sudden course was not taken to curbe the avarice and underhand practices of some perticular persons who had since our arrivall clogg'd the procurement of provissions and money, which should have been taken care of before, he had reason to apprehend the troops would not gett away from hence before it was too late to put H.M. comands in execution at Quebeck. This day the merchants of the town, who ever since our arrivall had insisted upon the hard terms of giving but £120 of this country money for £100 sterl., sent a message to the Brigadier, that they would give £130.

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July 1. The Governour attended the Brigadier and told him that the forces to be raised in this Province were drawing toward their radezvous at this place, upon wch. the Coll. of the train and Comissary of the stores and provissions were severally dirrected to issue ye arms, accoutrements, and cloathing for the officers and soldiers, as of H.M. free gift, but that no person might share of the Queen's bounty, that was not quallified for it, all the arms and cloathing were to be delivered to the Governour, or such person as he should direct to receive them, and not to be deliver'd to the forces but upon producing certificate from Col. Twiszleton of each Capts. effective men after a strickt review, and if any of the arm, accoutremt. and cloathing remained after the forces were equipped, they were to be accounted for by ye Governour. This day Major Livingston, who was recomanded to the Brigadier by Coll. Hunter for a very usefull person, attended, and Coll. King being sent for with a map of the River St. Lawrence and Quebeck, the said Livingston was asked severall questions about the scituation and works of Quebeck, and was thought to give a very good account of it. *July 2.* The Brigadr. ordered Col. King and Mr. Gordon to acquaint the Councill that he had information given him, that some merchants and others had provissions in store, which they concealled for the present to put him under a necessity of takeing them off their hands at any rate, that he was very uneasy under so many disappointments, and that no care was taken neither for supplying the troops upon Nodles Island with fresh provissions, nor making any provision for their future subsistance, and it was now high time to tell them plainly, that if any thing miscarryd for want of their assistance which they in their repeated memorialls had offered to the Queen, and wch. H.M. now expected, it must be layd to their charge that had not exerted themselves in their stations, upon this extraordinary occasion the Councill not sitting they deliver'd this message to the Secretary of the Province, who said he would get them sumon'd as soon as possible. It was proposed yt. Proclamation should be made for all persons to bring in their fresh provissions and that a strict search should be made throughout the Province for salt provissions; especially pork, with a penalty on all persons that should directly or indirectly conceall what provissions they had in store; accordingly the Governr. issued a Proclamation next day, directing Wm. Clark and Francis Clark, two merchants of Boston, with such officers as the Brigadier should think fitt, to make search for provissions, but there was no penalty for any person endeavouring to make a monopoly, as was proposed. *July 3.* The Brigadier ordered Mr. Nutmaker, the Comissary of the Stores, and Major

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Allen to accompany the two Mr. Clarks, and accordingly they found the severall quantity and species afloat and ashore mentioned in the account annexed to ye Brigadier's Memoriall to the Governour and Councill of the 6th inst., and that they should from time to time make report to Mr. Gordon, who had the direction of what quantity of provissions could be gott together ashore or afloat and the care of getting it into one great magazin, in order to its being shipt off with all possible expedition for the use of the ships of warr, land forces and New England troops all under one, and upon shipping off the distribution to be made of the whole aboard the transports, ships of warr *etc.*, according to the proposition allowed for each service. *July 4.* The Brigadier was invited to a Commencement at the College at Cambridge, near Boston, where he assisted for no other reason than to put the people of the Colony in humour to comply with the present necessary demands of the troops, and they seemed to show a generall satisfaction, for in spite of the false reports that were spread of the small-pox being in the camp, it was observed they brought in sufficient quantitys of all sorts of provissions after this, which in some measure put a stop to so many soldiers coming to Boston to by provissions as had done formerly, and consequently they had not so many opportunitys of drinking rum to excess, which had thrown severall of them into violent feavours, that were now the only distempers which appeared to be in the hospitall. *July 5.* This day Coll. Twizelton review'd Capt. Lyon and Capt. Brown's Companyes of New England men of 50 each and they were cloathed, and arm'd in order to be sent in the *Saphire* to relieve the marines in Annapolis, and Coll. Dudley, who had receiv'd the cloaths accoutrements and arms for the New England forces, gave the charge of them to Coll. Townsend and Mr. —, and the officers' cloaths were given to Mr. Mines to make, the Brigadier haveing order'd one of the remaining suits to be delivered to Major Livingston. Mr. Nutmaker, and Major Allen reported to Mr. Gordon that they had found severall quantitys of provissions concealed in town, and had been on board some ships lately come from the other Collonys wth. corn *etc.*, and Mr. Gordon desired a perticular accot. in whose custody it was and the quantity, that application might be made to the Government to secure it for ye Queen's use. *July 6.* This day the Brigadier and the Admirall presented a joynt memoriall annexing the account of provissions found on shore and afloat, the entry of both is made in the Brigadier's books. Whereupon the Governour in Councill order'd that the exchange should be regulated at 40 per cent and settled the price of severall species of provissions as appears by their Minute. *July 7.*

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Mr. Nutmaker and Major Allen reported to Mr. Gordon that severall of the townspeople were so enraged at the order of the Governour and Councill for settling the price of provissions that they threatned to stave it and that they had of themselves layd 3*d.* per gallon more on rum than the said order directed, *etc.* However they had made such a disposition as they hoped with the assistance of packers and coopers they could gett it on board in a few days. This day Mr. Gordon waited on the Governour in Councill and it was agreed, since no price could be putt upon wine, that sworn teasters might be employed to come as near as they could to the present value of the quantity, which the Queen should have occasion for, and that Mr. Lilly's warehouse should be the generall magazine for the provissions after they were visited and repacked. And whereas considerable quantitys of each specie would be still wanting it was thought adviseable to buy three vessells loaden with corn and carry them with us, the said vessells to be prized by some masters of ships and the boatswain of the *Edgar* whom the Admirall had made Master Attendant, with their hulls, apparell, and furniture and cargos, according to the settled price upon corn. *July 8.* This being Sunday, nobody would do any work, tho' the troops were in want of bread. *July 9.* Major Allen and Mr. Nutmaker acquainted Mr. Gordon that the Admirall had appointed Mr. Horton and Mr. Watson, two pursers, his agent-victuallers to contract for the 3 months' provissions for the land forces as well as an equall proportion for the sea, that those Agents were going on in the method formerly prescribed, and bills were to be drawn on the Commrs. for Victualling the Navy in England, but since all species of provissions could not be compleated, the Brigadier gave orders for buying up the 3 small ships loaden with wheat, rye, Indian corn, and flower to make up what should be wanting. *July 10.* This day the Brittish troops were review'd on Nodles Island and the Brigadier found them in good order and pretty healthy, there not being above 100 in the hospitall, who were most of them in a good way of recovery. The Colonells of some of the regiments began to complain that the people of the country had debauched severall of their soldiers and favoured their disertion, and therefore to make up their loss they were obliged to list their negroes who had volluntarely entered themselves to serve the Queen. *July 11.* This day nothing matteriall hapened, only the Brigadier pickt on the 3 ships laden with wheat *etc.*, which were to be bought (*viz.*) the *Adventure* of 90 tun, *Barbadoes* of 93, and *Content* of 90, but the Boatswain of the men of warr could not be found, so we lost three or four days, Mr. Gordon not being able to gett all the Apprizers

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together till 13th inst. in order to take an oath before a magistrate after a survey to do justice in the sale of these ships and their cargos between the Queen and the owners and merchants, which was the only expedient that could be found to bring them to reasonable terms.

July 12. This day little or nothing was done, except removing some difficultys in relation to the dispatch of our provissions. *July 13.* This day the 3 ships with their cargos were agreed for at £4872 1s. 2d., and Mr. Gordon writt to the Admirall to put a trusty midshipman into each of them for a master, and to allow them men out of the Queen's ships, to saile them to Quebeck, for saving ye charge of hiring others, but he could not obtain this request, so others were hyred, some part of the cargo of provissions aboard the *Prince Eugene* was ordered to be bought up and put on board the *Content*, our men continued to desart by the help of the people of the Country, and the Governour could not as yett agree on a remedy, in the mean time the Brigadier gave order for discharging all the negroes that had been listed since our coming, tho' they had taken party volluntarily, in hopes to bring the country to some reasonable measures concerning our own deserters. The 96 hhd. of salt wh. Mr. Gordon bought of Mr. Prout was now payd for, amounting to £162 15s. 4d.

July 14. This day two regiments of the New England forces were review'd by the Brigadier and the Governour. Lt. Genll. Nicholson arriv'd this night at Boston from New York and Col. Vetch from Annopolis, the former being asked why the *Leopard* and *Saphire* or either of them had not been imediately sent away to New York, with the *Joseph* and *Neptune* storeships which were so much wanted, he sayd he had no directions over ye Cpts. of those ships, and they had prevailed with the Governour and Councill to clean here, the Admirall being present, sayd he would make inquiry into this matter when Capt. Cockburn of the *Saphire* return'd from Annopolis. This day the wells on ye Island of Nodles were all dry'd up, and the Brigadier ordered the transports to go up the River to fetch water for the troops. Severall men deserted this day.

July 15. Mr. Gordon being informed by the Admirall's Agents, that he had procured the Government's direction for the packers *etc.* to work this day on our provissions, they positively refused to doe it; upon which Lt. Genl. Nicholson and he procured warrants from a J.P. for taking severall of them up, and then they went heartily to work, and we got most of the wine which was bought for the use of the troops aboard the transports that tyde.

July 16 and 17. Nothing matteriall hapned. *July 18.* This day a Sachem of the New York Indians came to Boston to inform himself of the certainty of the arrivall

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of the Brittish troops and ships of warr, he attended the Brigadier, and received his present of cloaths *etc.*, he said by his Interpreter that he had allways been true to the English, and was glad the Queen had taken so much care of them, to send a fleet and army against the French, the Brigadr. ordered him to be carryed over to Nodles Island to see the troops and to be very well entertained. The *Windsor*, Capt. Arris, Comndr., being the ship appointed to receive ye Brigadr. and his retinue was this day order'd to be hove down, but some of the careening geer broke, and we were apprehensive that she and a transport which was fitting in lieu of another that proved leaky for 300 of Coll. Kirk's regimt. would prove a hindrance to our sayling now our provisions were on board. This night Capt. Harrison, the Brigadier's aid du camp, who was detached with the *Kingston* and the *Mary* transports for New York arriv'd at Boston with ye wellcom news that those ships were got safe to New York, but they had had a very tedious and troublesome passage by reason of foggs, calms and currents. Coll. Hunter sent a letter by Mr. Harrison acquainting the Brigadier that the *Province* galley with the *Joseph* and *Neptune* transports were likewise arrived at New York, and that he was in hopes to overcome some difficultys (in relation to provissions) which had stood in his way, that the Sachams had received the news of this Expedition with great joy and sung the Warr-song, which lasted all night long, and some French Indians in league with us had promiss'd upon approach of our troops to retire, and by no persuation, be induced to joyn ye French. *July 19.* Major Allen and Mr. Nuttmaker brought in the accounts of the *Adventure*, *Barbadoes*, and *Content*, with the cargoes and the cost of 96 hhds. of salt and the charge of manning the said ships, for which the Brigadier ordered payment to be made since it was for ye use of the land forces ashore, and could not properly be supplied from the Navy or Victualling the soldiers being to pay for the same. This day Tho. Henley a deserter from Major Culliford's Company in Col. Kirk's regiment was try'd and condemn'd by a Generall Court Martiall to be hanged on Nodles Island in sight of all the troops, and the case of Joseph Bennett, a soldier in the same Regiment accused of mutiny was referred to the examination of a Regimentall Court Martiall. That night order was given for reinbarquing all the troops the next day. *July 20.* All the troops were reinbarqued on board their proper transportts, except 300 of Coll. Kirk's regiment, whose transport was exchanged, being leaky, for one call'd the *Queen Ann*, which was not yett fitted, but the Brigadier had thought of putting those men on board the men of war, that

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nothing relating to him might stop our sayling, since Mr. Gorden had assured him all the provissions were aboard except the *Windsor's*, which ship was not ready, but the provissions were. Coll. Kirk readily agreed to the distribution of his men on board the men of war, to save time, as the Admirall did after some debate. This day the Genll. Court or Assembly passed an additionall act against harbouring diserters, which could not be obtained before the troops were reinbarked. *July 21.* Nothing happen'd of moment, only the Brigadier and Sr. Hovenden Walker made publication of pardon to every deserter, seaman or soldier or marine that would return to the service. *July 22.* The Governour brought severall Mohagues, which he said were heads of the Five Nations, to attend the Brigadier, who received them well and encouraged them to joyn our troops at the Wood Creek *etc.* This day the troops were victualled with fresh provissions on board the transports. *July 23.* Six soldiers of Lt. Generall Seamour's regiment were tryed at a Court Martiall for mutiny, two were condemned to be shott, three to be whipt, and one acquitted. This day ye Mohagues made their speeches, presented their wampum *etc.* to the Brigadier, and he gave order to shew them the troops and men of warr, and being well entertained, and satisfied with their presents, after 4 or 5 days stay they returned to New York. *July 24.* The ship with the troops from Rhode Island arrived at Nantaskett, the said troops had been furnished with cloaths and musketts but wanted byonetts swords and cartouch boxes, which we had not in store for them because there was no provision made for them in England, either because that Island was not mention'd or not thought to be a distinct Government, when the Expedition was first thought of, however since cloaths and musketts were order'd for them out of the Queen's Magazine the Brigadier order'd them to accompany the fleet to Canada. This day we were told the *Windsor* has gott almost all her provisions on board, and most of the Brigadrs. equipage and provissions were gott on board her and his tender. An additionall loane of £10,000 New England money was voted in case the service shall require more than the £40,000 formerly struck in ye country bills. *July 25.* The Brigadier being inform'd that the *Chester* had taken a prize going in company with 3 other merchant ships to Quebeck from France, sent Capt. Harrison to the Admirall to know upon perusall of the papers which might be on board her, whether there were any intelligence that was proper for his knowledge. Capt. Harrison returned with a list of ships mentioned in the margin which he said came from France and parted with the prize off of Cape Finistere as also a newspaper between —1710

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and—1711. *July 26.* This day being sett apart for a day of fasting in pursuance of H.M. Instructions it was religiou[s]ly observed by the Brigadier himself, and the officers and soldiers; the *Province* galley arrived with severall victuallers from New York, and Mr. Gorden delivered the severall bills of lading and invoyces of their cargoes to Mr. Nutmaker the proper officer, giving it in charge to Capt. Forster Agent of the transports to be assisting to him in getting the provissions shifted into such of the transports as could best stow it and if there should not be room enough in the transports to apply to the Admirall to order the men of warr to receive what remained. *July 27.* All the Brigadiers retinue and baggage haveing been shipt for some days on board his tender, he went this day himself on board the *Windsor* in hopes to saile the next morning, but severall transports having lost men by disertion could not saile without being supply'd with others. The men of warr had a great loss likewise which made it hard to supply them, and this last and worst difficulty was in a manner without remedy since both the Governour and Admirall thought themselves so restrained by the late Act of Parliament against pressing in the Plantations that they could not by any means think they could justifie pressing seamen for recruiting the Brittish ships of warr or transports while that Act was in being. *July 28.* The Brigadier dined ashore and immediately went on board the *Windsor* againe. *July 29.* The *Province* galley being unman'd for supply of the transports and some other matters adjusted, the wind coming up fair, the signall for un-mooring was made this afternoon but it was not thought fitt to saile till next morning. *Endorsed, Br. Hill's Journal, Rd. at Windsor Sept. 17, 1711. 19 pp.*

61. ii. Officers of Regiments to General Hill. Proposals as to payment of subsistance according to the monthly muster-rolls, there having always been great confusion in the accounts in former expeditions. *July 25, 1711. 6 signatures. 2 pp. [C.O. 5, 9. Nos. 4, 5, 6, 9, 10, 11; and (duplicate of enclosure i.) 5, 898. No. 12; and (duplicate of enclosure ii.) 43, 13. No. 12.]*

[July ?]

62. Proclamation by General Hill. The Queen of England is about to re-assert her incontestable right over all North America. French inhabitants of Canada and its neighbourhood, who remain peaceably in their homes and wish to place themselves under H.M. protection, will be favourably treated and allowed to remain in peaceable possession of their property, and share the liberty enjoyed by H.M. other subjects, with the free exercise of their religion. Those who do not resist, but prefer to return to France, will be allowed to do so and transport *etc.* will be provided, *etc.* *Printed by Green, Boston, 1711. 1 p. [C.O. 5, 868. No. 13.]*

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[? Aug.]

63. Governor Douglas to the Council of Trade and Plantations. Since my arrival here my time has been chiefly employed in viewing the forts and magazines, and taking the best measures I could in so short a time to put this Island into a better posture of defence than I found it. I must refer your Lordships to the minutes of the Council and Assembly, which will be represented to your Lordship in their way concerning the late Insurrection. I shall after my return from the Leeward Islands make a diligent enquiry into all particulars relating to that action in order to lay it in the clearest light before your Lordships. I have upon good informations sent home on board H.M.S. the *Lark* Capt. Norbury, Commandr., three officers in Col. Jones' regiment, Capt. Rookby, Lieut. Wats, and Ensign Smith. The depositions and witnesses that appear against them will convince your Lordships of the dangers this Colony was involved in by men of their principles and behaviour. Capt. Norbury at first scrupled to take them on board pretending he was not properly under my command. I would beg your Lordships to take into your consideration the 69th article of my Instructions, that I may receive that power from the Board of Admiralty that H.M. service may not be obstructed by such pretensions. I am desired by the body of this Island to make application to H.M. by your Lordships about the flags of truce, this Island bearing the whole charge. The other Islands though receiving the same benefit refuse to give any proportion towards it. That H.M. would be pleased to give some orders that this Colony may be eased from so great a burthen as the hiring sloops from and to Martinique and maintaining prisoners of war. If there were two frigats upon this station the Trade of these Islands would be better secured, the French Islands reduced to some distresses by their privateers being forced to leave them who are their principal support, and H.M. poor subjects would not be soe often in a starving condition, while there was such a force at sea. Your Lordships will be pleased to take this into your consideration and to recommend it to H.M. most gracious Majesty. There is a great want of small arms, and the inhabitants expect to be furnisht upon all occasions. There is none in the magazine, 500 arms with swords and bayonets would be sufficient to furnish those that want, and I shall take care they shall be only employed upon publick service. The Assembly are upon altering the Act in relation to their Courts *etc.* ; which I hope they will heartily goe thorow with, *etc.* *Signed,* Walter Douglas. *Endorsed,* Reed. 3rd, Read 8th Nov., 1711. 3 pp. *Enclosed,*

- 63. i. Thos. Kerby to Lt. Govr. Yeamans in reply to an order to copy some Acts, *etc.* Antigua, Aug. 23, 1711. *Signed,* Thos. Kerby. *Endorsed,* Reed. Oct. 27, 1711. 1 p.
- 63. ii. Lists of fees taken in Antigua. 8 pp. *Endorsed as preceding.*
- 63. iii. Account of powder received for tonnage of vessels in Antigua, Oct. 27, 1710—Aug. 22, 1711. *Same endorsement.* 1½ pp.
- 63. iv. Account of stores of war in the Magazine, Antigua,

1711.

Oct. 1710. *Signed*, John Brett. *Same endorsement*. 1 p.

63. v. Account of the stores of war delivered for the fortifications, Antigua, Dec. 1710—Aug. 14, 1711. *Signed*, Saml. Parry. *Same endorsement*. 2½ pp.

63. vi. Account of the stores of war delivered out of the Magazine, Antigua, 1710. *Signed*, John Brett. *Same endorsement*. 1½ large pp. [C.O. 152, 9. Nos. 87, 87 i.-vi.; and (without enclosures) 153, 11. pp. 392-394.]

Aug. 1.
Whitehall.

64. Council of Trade and Plantations to the Lord High Treasurer. Request payment of office expenses and salaries, from Christmas 1710 to Midsummer 1711. [C.O. 389, 37. pp. 20, 22.]

Aug. 1.
St.
Christophers.

65. Lt. Governor Lambert to the Council of Trade and Plantations. According to the several Instructions directed unto me from Governor Douglas, I enclose the particular accounts of the Island, and whatever can be done shall be forwarded by the soonest opportunity. But find an impossibility of compleating the whole by reason a great many papers relating thereunto were lost upon the enemy's invadeing the Island, as also by the misfortunes of the hurricane in blowing down most of the houses, and consequently destroying most papers of publick transactions as well as private, to the detriment of the Island in general. *Signed*, Mich. Lambert. *Endorsed*, Reed. Oct. 27, Read Nov. 27, 1711. 2 pp. *Enclosed*,

65. i. Account of Stores received and spent, St. Christophers, Aug. 16, 1707—May, 1710. *Endorsed*, Reed. Oct. 27, 1711. 2 pp.

65. ii. Account of cannon, stores and forts belonging and wanting in Antego. *Signed*, Saml. Parry. *Endorsed as preceding*. 7 pp.

65. iii. Census of the inhabitants of St. Kitts, and the number of slaves owned by them. Aug. 10, 1711. *Endorsed as preceding*. 13 pp. [C.O. 152, 9. Nos. 88, 88 i.-ix.; and (without enclosures) 153, 11. pp. 397-399.]

Aug. 3.
Treasury
Chambers.

66. Mr. Lowndes to Mr. Popple. My Lord Treasurer desires the opinion of the Council of Trade and Plantations upon following. *Signed*, Wm. Lowndes. *Endorsed*, Reed. 11th, Read 12th Sept., 1711. ½ p. *Enclosed*,

66. i. Col. Corbet to the Queen. Having been appointed Governor of Maryland in the room of Col. Seymour decd., and it having been customary between the death of owne Governor and the arrivall of another to divide the perquisites between the person who officiates and the succeeding Governor, petitioner prays H.M. to grant him the same benefitt till his arrival. *Signed*, John Corbet. *Subscribed*,

66. ii. H.M. refers this petition to the Lords Commissioners

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of the Treasury for their report. *Signed*, Dartmouth. Whitehall, Aug. 28, 1710. 1 p. [C.O. 5, 717. Nos. 44, 44 i., ii.; and 5, 727. pp. 302-304.]

Aug. 3.
Whitehall.

67. Council of Trade and Plantations to Lord Dartmouth. *Enclose* extracts from Mr. Lillington's letter, June 13, concerning exchange of prisoners and threatened attack on Antigua. *Enclosed*,

67. i. Extracts referred to in preceding. [C.O. 29, 12. p. 364; (*covering letter only*); and (*enclosures only*) 152, 42. Nos. 71-76 and 64.]

Aug. 6.
Windsor.

68. H.M. Warrant appointing John Carver to the Council of Jamaica in the room of Thomas Clarke decd. *Countersigned*, Dartmouth. [C.O. 324, 32. pp. 101, 102.]

Aug. 7.
Office of
Ordnance.

69. Board of Ordnance to the Queen. In obedience to Order of Council July 30, relating to stores of war for the Leeward Islands (*v.* June 29). We humbly report to your Majesty, that we do not know what stores of warr they now have, so we can make no judgement what arms and other stores may be necessary to be sent to those Islands. But if it is your Majesty's pleasure any quantity of arms *etc.* should be sent thither, we must begg leave to informe your Majesty, that the Parliament has not given this Office any money for such service, and we humbly conceive, if the Islands cannot as formerly at their own charge supply themselves with stores of warr, then their particular demands should be laid before the Parliament. *Signed*, C. Musgrave, Ja. Craggs, Wm. Bridges. 1 p. *Enclosed*,

69. i. Extract from Lt. General Hamilton's letter, April 5, referred to in preceding.

69. ii. Copy of Address of the General Council and Assembly of the Leeward Islands to Lt. General Hamilton, March 3, 1711, praying H.M. to supply stores of war, *etc.* $\frac{3}{4}$ p. [C.O. 152, 42. Nos. 70, 70 i., ii.]

Aug. 9.
Span. Towne.

70. Governor Handasyd to Lord Dartmouth. Duplicate of part of July 16th. *Signed*, Tho. Handasyd. *Addressed*. $2\frac{1}{2}$ pp. [C.O. 137, 51. No. 52.]

Aug. 10.
Off Cape
Brittoun.

71. Col. Vetch to Mr. Secretary St. John[s]. I was honoured with the copy of yours to Col. Nicholson in Aprill last, by which I was commanded to leave the garison of Annapolis Royall and Government there, in order to putt in execution H.M. commands signified to me by you, to take the command of the troops of New England and nighbouring Governments who are in conjunction with the troops of great Brittan, under the command of Generall Hill to reduce Canada conform to a scheam I had the honour to lay before H.M. three years ago. I have accordingly left that Government to Sr. Charles Hobby as my Deputy: by order of the Congress have raised, moduled and embark'd all the said troops, and are now near half way upon our voyage to

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the said place: the getting to which place by reason of the difficulty of the navigation I look upon to be the difficultest part of the enterprise, being myself if not the only at least the best pilot upon the Expedition, although none of my province. However I doubt not ere long to have the honour to congratulate you upon the success of H.M. arms in reduction of the said place and country: by which H.M. will be sole Empress of North America, six times larger then all her European Dominions. In the vein of all which success be pleased to allow me to acquaint you that notwithstanding my having layd the scheame of those affairs and having been last year honoured by H.M. Royall Commission as Generall in the reduction of Port Royall, and afterwards when reduced by H.M. Royall Instruction being made Governour of the same with about 500 troops and 50 commissioned officers, the maintaining of which characters, and keeping a table hath occasioned me a very great expense, for all which as yett I have had neither allowance, salary nor establishment, and being now in the greatest hurry imaginable called from my Government upon the present Expedition to command the troops of the American Governments concerned in the Expedition by sea, from whom I have not one groat allowance though my equipage and preparations hath already cost me severall hundreds of pounds, I must intreate your Lordship's favour and concurrence with my Lord Dartmouth in procureing from H.M. such a summ of money as in your consummate wisdom may answer my great expense etc., etc. *Signed*, Sam. Vetch. 1 p. [C.O. 217, 31. No. 2.]

Aug. 10. **72.** Same to Lord Dartmouth. *Similar letter to preceding.* 2 pp. [C.O. 5, 9. No. 100.]

Aug. 14. **73.** Col. King to Mr. Secretary St. John. I thought I should have had opportunity of sending you the inclos'd from Boston by a merchant man. But our General and Admiral thought it afterwards for the service, to stop all vessells going from thence to Europe till we were ready to sail. So that this occasion by the *Devonshire's* and the *Humber's* being order'd home, is the only one I have had since I left Plymouth. The season is now so far advanc'd, we must have all the good fortune imaginable both by sea and land, to be able after the reduction of Quebeck to take Placentia. However 'tis certain that the most proper time to attack that place is from the middle of October to the latter end of April. For then the French fishermen are absent; and while they are there they can give 2000 as good militia as any in the world towards the defence of it. Wherefore if the season is not very boistrous at our return, our General will undoubtedly profit of the occasion, and the more because he will then have the thousand New England troops which must be sent home to assist him in reducing it. Having reduc'd the great plan of the River of St. Laurents to a more moderate size, I have sent you a copy of it by Mr. Cole Lieut. in the *Humber* man of war: as also the plan of the town of Quebeck—mention'd in the enclos'd letter. The freedom with which I have writt part of the enclos'd would

From on board
the *Windsor*
man of war.

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I think admitt of no excuse if my great regard to truth and duty to you had not oblig'd me to it. The inclos'd list of stores I gott provided for us at Boston by what they call a Committee, with a good deal of fatigue. This Committee is composed of five persons, and when they have made up their accounts, another like Committee is order'd to audit them to prevent their imposeing on the Queen. As this method has been always practis'd there, and as it appeared to me a reasonable one, I thought it properer that the stores *etc.* should be provided that way than by me who was a stranger to the vallue of all sorts of things in the country. For the same reason Governour Dudley is the most proper person to pass the accounts finally for them, and draw bills on the Treasury or Office of Ordnance for what summs they'll amount to : wherefore I have engag'd him to do it at our General's desire : and as all the said stores are indeed very bad except the strong gynn, erane, block carriage, chevaux de frize, and sling cart which I made with my own artificers, I hope he will take care that the Queen may be charg'd proportionably for them. We are now with all our Fleet about 10 leagues south from the most easterly part of the Island of Anticoste with the wind at S.S.W., which I hope will bring us into the mouth of the River : from whence we must have an easterly wind to carry us up. The Heavens have been hitherto so favourable to us in our navigation that I doubt not but we shall have it : and that in a short time afterwards I shall have the pleasure of sending you all an account of our happily succeeding, *etc.* P.S. I am persuaded I may assure you that our forces both by sea and land are resolv'd to succeed or perish in the attempt. *Signed*, Rich. King. $3\frac{3}{4}$ pp. *Enclosed*,

73. i. List of things provided at Boston for the present Expedition. 2 pp.

73. ii. Copy of No. 61 i. [C.O. 5, 751. Nos. 81, 81 i., ii.]

Aug. 15.
Treasury
Chambers.

74. Thomas Harley (one of the Secretaries of the Treasury) to Mr. Popple. *Encloses following* to be laid before the Council of Trade and Plantations for their opinion. *Signed*, T. Harley. *Endorsed*, Recd. 25th Aug., Read 12th Sept., 1711. *Addressed*. $\frac{3}{4}$ p. *Enclosed*,

74. i. Petition of Michael Lambert, Lt. Govr. of St. Christopher's, to the Earl of Oxford, Lord High Treasurer. Prays for the confirmation of a grant of Olivies plantation in the French quarter of St. Kitts, made to him by Governor Parke in consideration for his services, for a certain term, with an equitable title to H.M. bounty for the same, in case the whole Island shou'd remain unto H.M. upon the next treaty of Peace. Petitioner has spent great sums in setling and improving it. $1\frac{1}{4}$ pp.
74. ii. William Blathwayt to the Lord High Treasurer. *Report on preceding*. By H.M. Letters Nov. 30, 1705, Governor Parke was directed not to dispose of any part of St. Christophers taken from the French for a longer term than $2\frac{1}{2}$ years from the time of his arrival there,

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etc. The grant referred to above was made by him Oct. 24, 1707 for 3 years, and is now expired. *Proposes* that petitioner having been at great expense in improving the plantation, the grant be renewed for 3 years as from April 24, 1710, the time to which it ought to have been at first limited, *etc.* Signed, William Blathwayt. 2 pp.

74. iii. Copy of Governor Parke's grant of Olivies Plantation, adjoining Monkey Hill, near Basseterre, *as above.* Oct. 24, 1707. Signed, Daniel Parke. The petition (No. i) is referred by the Lord High Treasurer to Wm. Blathwayt for his opinion. Signed, Wm. Lowndes. Treasury Chambers, June 30, 1711. 3 pp. [C.O. 152, 9. Nos. 75, 75 i.-iii. ; and 153, 11. pp. 355-361.]

Aug. 15. **75.** Governor Lord A. Hamilton to the Council of Trade
St. Jago de la Vega: and Plantations. The inclosed is a duplicate of what I wrote by the *Scipio*. The Assembly have since met, and four Acts have been past which I shall transmit to your Lordps. together with the minutes of the Council and Assembly and some observations on their proceedings by the *Non-such*, it not having been possible to prepare them ready for this conveyance. The chief grievance I find among the inhabitants of this land, is the duties laid on by the American Act, tho' people are at present pretty easy on that subject, in hopes of a speedy relief. As this is a real pressure, I doubt not but your Lordps. will continue your good offices in behalf of the Island, for obtaining them some ease from it. I shall now have the satisfaction to mention to your Lops. the success of Mr. Littleton's cruise, which has been the taking of the Vice-Admiral of the galeoons, and another galeoon they call a potache, which are both now in harbour. I can't give your Lops. any particulars of their value, reports about galeoons being very different ; these are said to be full of goods, but that Monsieur Du Casse had taken out all the king's Plate, and several merchants their money. However it's beyond dispute that they are very rich prizes. The Admirante of the galeoon died of his wounds. The privateers have brought in four other small prizes. Mr. Littleton sail'd the 14th with his squadron with intent to lye off of Point-Pedro-shoales, there to intercept Mounsr. Du Casse, if he comes to Leeward, as is expected : as soon as this cruise is over (which is believ'd will be in a fortnight or three weeks) the *Non-such* is to saile with Majr. Genll. Handasyd, by which opportunity I design to do myself the honour of writing again to your Lordps. Signed, A. Hamilton. Endorsed, Recd. Sept. 28, Read Oct. 30, 1711. 1½ pp. [C.O. 137, 9. No. 47 ; and 138, 13. pp. 364, 365.]

Aug. 15. **76.** Same to Lord Dartmouth. Repeats part of preceding.
St. Jago de la Vega: Mr. Littleton had not an opportunity of delivering my letter to the Marquis of Suarez. I have detained three of the chief prisoners (*from the galleons*) which I think a favourable occasion to facilitate the relief of the prisoners at Lima. Signed, A.

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Hamilton. *Endorsed*, R. Sept. 28. 1 p. [C.O. 137, 51. No. 53.]

Aug. 20.
Barbados.

77. Governor Lowther to the Council of Trade and Plantations. *Encloses* Minutes of Council and Assembly, and Acts passed since his arrival, *etc.* I also take the liberty to send a list of the prizes which the French have taken and carried into Martinique from July 1710 till May 1711; the greatest part of which shipes did belong to Barbados, as I am informed by the merchantes here; they also told me that these great losses were chiefly occasioned from the little regard the men of war paid to the orders Mr. Lillington gave them during his Presidentship, for when he sent them orders to cruise three weeks or more to the windward of the Island, they did not stay there very often above 24 hours, but would go into another latitude: at other times they would be in harbour four or five weekes after they had the President's orders to cruise to the wind-ward of the Island: upon these informations I looked into my Instructions to see how I was to behave myself upon such occasions, and I find I have no power over the men of war, nor no authority to call them to account for the breach of any orders they receive from me; for my 69th Instruction directs me not to exercise any authority over the Captains of the men of war unless I have a commission or power soe to do from the Lords of the Admiralty: I therefore submit it to your Lordshipes' consideration whether it will be for H.M. service that I should have such a Commission from the Lords of the Admiralty. The *Sweepstakes*, Capt. Thomas Jacobs, Commander, took a prize a little before I arrived here called the *Cupid* on which were 48 men who made their application to me by several Gentlemen of this Island to be sent to Martinique and exchanged: upon a serious consideration of this proposition, I did not think fit to grant their request; notwithstanding it was urged that the French took more prisoners from us than we did from them, and that therefore it would be for the interest of H.M. and the benefit of the people of this Island not to have the Queen's subjects that fall into the handes of the French sent to Europe, for said they, the sending of them to Europe would be not only a great interruption to trade, but would also be a very great prejudice to particular persons, for which reasons they desired a cartell might be settled with the French at Martinique for the exchange of prisoners that were taken or should be taken on each side. I may admit that the French take more prisoners than we doe, and that the sending them to France is some obstruction to trade, and a high aggravation of the misfortune of such as fall into the hands of the French; yet notwithstanding this I am humbly of opinion, that it is not only against the Queen's interest, but also against the advantage and policy of this Island to settle a cartell with the French: to make this obvious to your Lordshipes, I take the liberty to put you in mind that the people of Martinique are the very dregs and refuse of the French Nation, and that they intirely subsist by piracy and privateering, and that they lose nothing when they fall into our hands but some armes and

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ammunition. I would likewise remarke that this loss to them is so very inconsiderable when a cartell is settled with them, that those very people which have been taken one week, and sent to Martinique the next, have in the week after they arrived there returned upon our coastes, for they have nothing wherewith to subsist themselves and families but what they take from us, and that therefore it must of necessity happen thus, unless they are sent to Europe ; but if they are sent to Europe, there is not one in 50 can ever return to Martinique, having neither mony nor credit to accomplish it, but must be constrained to go into the King's service ; so by this means not only many families at Martinique will be utterly undone, and the country distressed by the great increase of the poore rates, but it will also disable them from fitting out their number of privateers which will redound as much to our advantage as to their ruin, being they have little or nothing to subsist on but the provisions they take from the Queen's subjects. I beg leave to say a word or two to obviate one objection more that I fancy may be made against sending the prisoners of war to Europe : the objection is this, that all the ill consequences that attend the French prisoners being sent to Europe will also befall such of the Queen's subjects as are under the like unhappy circumstances : all I shall say to refute this objection is, that the worst of the Queen's subjects that are taken in a trading vessel, have either mony, credit or friends to support them under such a misfortune, and to replace them in the same way of livelyhood, if not in the same condition, which is not the Frenches case, that live at Martinique. I have one more objection to offer to your Lordshipes against settling a cartell with the French at Martinique, which is, that it will give a great opportunity to carry on a trade between this place and them. I desire your Lordshipes to signify the Queen's pleasure to me upon these matters, *etc.* Signed, Rob. Lowther. Endorsed, Recd. Sept. 10, Read Nov. 15, 1711. *Holograph.* 3 pp. *Enclosed,*

77. i. List of prizes brought into Martinique from July 1710—May 1711. *Totals* : 56, and 2 run ashore. *Endorsed,* Recd. Oct. 10, 1711. 1 p.

77. ii. Abstract of the Naval Officer's List of Ships entered and cleared at Barbadoes, March 25—June 24, 1711. *To England* ; 10 ships of 1924 tuns burthen (sugar, molosses, cotton and ginger). *To Guinea* : 5 ships of 165 tuns (rum). *To the Plantations* : 44 ships of 2133 tons (sugar, molosses, cotton, ginger, rum, (2105 hhds. 799 tierces, 691 barrels) and lime juice. *Endorsed as preceding.* 1 p. [*C.O.* 28, 13. Nos. 72, 72 i., ii. ; and 29, 12. pp. 377-381.]

Aug. 22. North Carolina. 78. Lt. Governor Hyde to [*? Lord Dartmouth*]. As no one can more heartily congratulate yr. Lp. in that high station H.M. has so deservedly placed yr. Lp., so no one can be less desirous of giving you any trouble now you are in it. But it is my lot at this time to be plac'd in a Governmt. where I find nothing but sedition has been industriously cultivated and rebellion too much

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practiced. An instance of wch. will be very evident in Coll. Cary, who is now sent prisoner to England. I think this is but the third rebellion he has headed since he came into Carolina, beginning with him in Ashley River, where he headed 300 mob and seiz'd Judge Trot, and twice since he came into North Carolina, concluding with me. He and those people committed with him, wch. he intended evidences for himselfe, were at the request of me and the Councell apprehended by the Hon. Alexander Spotswood, Lt. Governour of Virginia, and I shou'd do very great injustice to that honbl. person, if I did not own that the prospect we have of peace being settled in this Governmt. is oweing to him, as well as putting an end to this rebellion to his measures; I [*saw*] no way left to support H.M. authority and peace here, and maintain the Lords Proprietors' power, but by begging assistance from the Governour of Virginia, who with great compassion tooke the miserable case of that country, and my circumstances (in a manner I may say) into his own protection. I humbly supplicate yr. Lp. (that not having had notice of Coll. Cary's being apprehended and committed before the Fleet sayl'd for England, by wch. it was render'd impossible for me to send evidences to make out our charge at this time against him, wch. I shall have no reason to doubt but I shall do with great clearness) that I may have sufficient time allow'd me to send over my evidences and proofs. But if such a favourable consideration (in yr. Lp.) to the poverty of this country, shou'd prevail with yr. Lp. to get a Commission sent into Virginia to examine not onely evidences, but to try the criminals that are in custody here, (if Col. Cary and those committed with him, shall not by yr. Lp. be thought fit to be try'd allso) must undoubtedly be esteem'd a very great charity. Levy Trewit and George Lumley are two of the most eminent villains that cou'd be pick'd out for Coll. Cary's purpose, the first Coll. Cary made Clarke of Pemptico Court in Bath County, where it will be prov'd he was famous for forging of false judgmts, and razing of records, wch. most in that Court are now raz'd by him. George Lumley was made the Secretary's Clarke by Coll. Cary, and when he recd. the Colony's seale, and the Records he gave bond to restore them when requir'd as whole as when he recd. them, without corruption or imbezelm't., when I sent my order for them he refus'd it, and when I compel'd him to deliver them, abundance of records was not onely raz'd but whole Councells cut out of the booke, the other two Edmund Porter and Callingwood Ward are as usefull for any wicked purpose as the other, and were all of them in arms on board the brigantine with Col. Cary when he assaulted me June 30th last on Col. Pollock's Plantation, but was repuls'd. I hope of yr. Lp's. protection *etc.*, having been most barbarously us'd ever since I came in, by a people I never offended. But the Quakers that have ever strove to overturn the Church Govermt. in this Colony, has since I came in push'd it on with unusuall force, many having tooke up arms themselves. I had almost forgott to beg of yr. Lp., if John Porter senior, who I hear is gone in a runner for England, shou'd be heard of, he may be tooke up, for

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he has not onely at all times been the disturber of the peace of this Governmt. ever since he came into it, but in this last commotion has endeavour'd by going in person to severall Indian towns and by promises of reward, to bring down the Indians to cut of man woman and child on the western shore of Chowan, that has been the onely subjects to H.M. that on all occasions has express'd their loyalty. *Begs to have his compliments made to my Ld. Rochester and my Lord Guernsey, etc. P.S. I hope Mr. Tobias Knights sent over by this Fleet, who was Secretarye here, may be admitted to give such proofs before yr. Lp. as he is furnish'd with, Coll. Cary being tooke after he was on board, and so cannot be fully prepar'd, as otherwise he might, and weh. I shall take care that he shall. Signed, Edward Hyde. Endorsed, R. April 11, 1712. 2½ pp. Enclosed,*

78 i. President and Council of North Carolina to [*? Lord Dartmouth*]. Whereas Col. Thomas Cary, Levy Truehit, Challingwood Ward, George Lumley and Edmund Porter are at the earnest request of us the President and Council of North Carolina apprehended in Virginia by order of Lt. Governor Spotswood, and by him committed to a hearing, wee in most humble manner pray leave to inform your Lordship that at a General Assembly holden for this Collony in March last, the said Col. Cary and John Porter were impeached of high crimes and misdemeanours and were thereupon committed to the custody of the Provost-Marshal from whom they made their escape, and to protect themselves from justice did confederate with the abovenamed Levy Truehit, Challingwood Ward, George Lumley, Edmd. Porter, and with one Richd. Roach and several other desperate and evill-minded persons as also with Emanuel Low, Gabriell Newby and many other of the people called Quakers and raised an insurrection against the lawfull authority of the Lords Proprietors, and against the peace and soveraign dominion of our soveraign Lady the Queen, and to carry on their rebellious purposes have endeavour'd by promises of reward to draw into their conspiracy the neighbouring Indians by them to cut off all such of H.M. subjects as shou'd oppose their lawless proceedings, and did man and fit out with great guns *etc.* two vessels and in them did sail in warlike manner with a flag on the mainmasthead to the great terrour of the inhabitants and severall robberys and other injurys did commit, and in one of the said vessels did make an assault upon us the President and Council at the house of Col. Thomas Pollock (of the said Council) in the precinct of Chowan, who there endeavour'd to keep the peace of our soveraign Lady the Queen, and maintain the authority of H.E. the Pallatine and Lords Proprietors, from whence being by God's assistance repell'd, they fled till they were apprehended as abovesaid. Wherefore we humbly crave leave in such

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time and manner as your Lordp. shall think most necessary, to produce an evidence against the said Cary, Truehit, Ward, Lumley and Edmund Porter, who were committed and sent prisoners to England, before wee had the least notice of it, by which wee were depriv'd of sending our evidences at the same time with him, for which reason wee humbly hope considering the nature of their offences, wee may have sufficient time allow'd us for the doing of it, wherein wee do not doubt but to make out full proofs of whatever wee shall accuse them with. Wee are not out of hopes of yr. Lordp's. great candour in this affair by which wee may fully expect to see law and justice once more restored to H.M. subjects, and this poor country, that for near three years last past has by these rebellions been dispossess'd of all. And considering this country is entirely impoverish'd through these unhappy commotions wee shou'd look upon it an Act of the greatest compassion towards us, if a Commission cou'd be obtain'd to be sent into Virginia, to try the criminals, as well those sent to England, as those that remain in custody here, to prevent that charge which wou'd near complete the ruin of our Colony. *P.S.* Wee beg leave if John Porter be fled to England (as 'tis by all here concluded) that your Lordp. wou'd please to give orders that he may be apprehended. *Signed*, Edward Hyde, Graffenried, Tho. Pollook, Tho. Boyd, W. Glover, N. Chevin. Aug. 22, 1711. 2 pp. [*C.O.* 5, 308. Nos. 1, 1 i.]

Aug. 22.
Whitehall,
Treasury
Chambers.

79. Petition of Humphry South, of London, Merchant, Agent for George Liddell of St. Christophers, and of Robt. Clayton, son and heir of Richd. Clayton, of the same Island, deed., to the Lord High Treasurer. Prays H.M. confirmation of a grant made to them by Governor Parke for $2\frac{1}{2}$ years of two plantations in the French Quarter of St. Kitts. 3 pp. *Annexed*,

79. i. The Lord High Treasurer refers preceeding to the Council of Trade and Plantations, and to Wm. Blathwayt, Auditor General of the Plantations, for their opinion. *Signed*, Wm. Lowndes. $\frac{1}{2}$ p.

79. ii. William Blathwayt to the Lord High Treasurer. Recommends that the grant referred to in preceeding be confirmed with an additional term of two years, till Oct., 1713. *Signed*, Wm. Blathwayt. Sept. 20, 1711. $1\frac{1}{4}$ pp.

79. iii. Copy of grant by Governor Parke, Dec. 1708, referred to in preceeding. $2\frac{1}{2}$ pp. *The whole endorsed*, Reed. 26th Sept., Read 26th Oct., 1711. [*C.O.* 152, 9. Nos. 85, 85 i.-iii. ; and 153, 11. pp. 380-388.]

Aug. 24.
Barbados.

80. Governor Lowther to Lord Dartmouth. *Repeats part of No. 77. Concludes*: Mr. Hodges, the present Attorney General of Barbadoes, goes for England in this Fleet, upon which I intend to appoint Mr. Arthur Slingsby Attorney General in his

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room, having power so to doe, till H.M. pleasure is known: Mr. Slingsby is a gentleman of great worth and partes, and perfectly well acquainted with the customes, laws and constitution of this place, in consideration of which character I desire your Lordship to obtain him a patent for being Attorney General: it will be a favour I shall alwaies esteem, and think myself very happy whenever I have an opportunity to acknowledge it as I ought. I have taken the liberty to send your Lordship 24 quartes of citron water, and 50 weight of sweet-meats, which I intreat your Lordship to accept as a marke of my gratitude for your many civilities, etc. *Signed, Rob. Lowther. Holograph. 2 pp. Enclosed,*

80. i. ii. List of French prisoners taken by H.M.S. *Sweepstakes* and sent to England. 3 pp. [C.O. 28, 43. Nos. 65, 65 i., ii.]

Aug. 27.
Antego.

81. Governor Douglas to Lord Dartmouth. I had not been many daies upon the Island till I perceiv'd it was impractacable for me without endangering the safety of the whole Colony to execute H.M. Orders in securing some of the inhabitants who were the principal offenders in the late rebellion. I cou'd expect no service from part of Col. Jones' regiment here, if they had made any insurrection against me, the officers and soldiers are so corrupted and influenc'd by the chiefest men of this Island. Upon some informations I order'd Capt. Rookby, Lieut. Wats and Ensign Smith, officers in the Queen's troops, to be taken into custody, and sent on board the *Lark* man of war, Capt. Norbury Commander. Your Lordship will perceive by the depositions and witnesses against them how far they were ingag'd as encouragers or actors in the late tragical action. Capt. Norbury has receiv'd my orders to signify the same to your Lordship, or one of H.M. principal Secretarys of State upon his arrival at the first port of England to have your Lordship's farther directions about them. The greatest part of my time has been employ'd in viewing the Forts in the Island and putting it into some better posture of defence to prevent any designs the enemy might have from the animosities and divisions of the people. I cou'd not make any progress in the examination of the rebellion as yet fit to lay before your Lordship. If I had a man of war, with some draughted soldiers well arm'd for recruiting the regiment, and under my command, I had probably sent some of the principal malefactors to England, but Capt. Norbury's sentiments that he was not properly under my power, his intimacy and friendship with some persons has in some measure obstructed what I thought proper for H.M. service, for how can I depend upon those who will find some pretentions to dispute my orders. If I can't at the same time send them off as they are taken, I don't know what might be the fatal consequences thereof. I have writ more fully to Mr. Lewis, which I beg your Lordship's consideration off, that I may be better enabled to put H.M. Orders in execution, etc. *Signed, Walter Douglas. Endorsed, Reed., Read Feb. 4, 1711½. Copy. 2¾ pp. Enclosed,*

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81. i. Deposition of Richard Oglethorp, Aug. 22, 1711. Some time before his death Governor Parke sent for deponent, being Deputy Marshall (*of Antigua*), to go for the purser of the *Lark* man of war, Capt. Norbury Commander, who informed him there was aboard upwards of 20 days provisions. Afterwards H.E. told Capt. Norbury to cruise about the French Islands for 10 days, and then proceed for Barbadoes for more stores, for that he was informed of an intended invasion of this Island *etc.*, to which Capt. Norbury answered, he would not, but would directly saile for Barbadoes, to which H.E. said then in a passion, send then the soldiers that I may not want their assistance, to which Capt. Norbury replied he would not, but if he would have it done to land them himself, and immediatly the Capt. went away in hast, and going by the house where the Assembly were sitting, who presently accompanied him, and in great hast went downe to the wharf and entred a pinnis and rowed away, the Assembly or the most of them and others huzzai'd him off, and in few houres he put the ship under saile, and did not return till after his death. *Signed*, Richd. Oglethorp. *Endorsed as preceding. Copy.* 1 $\frac{1}{4}$ pp.

81. ii. Deposition of Richard Oglethorpe, Aug. 22, 1711. Some few days before Governor Parke was murdered, he sent deponent, who was Deputy Marshal, from the Councill Chamber in St. John's, where the Genl. and the Councill were then sitting, to go to Capt. — Marshall, a Capt. in Col. Jones' regiment, and tell him that it was his possitive orders, that he should not go off nor depart this Island. When these orders were given to Capt. Marshal he was in a boat at Cook's Wharfe, and in a slighting manner putt off and went on board the *Larke*, Capt. Cunningsby Norbury, commander, where his company of soldiers was, which company with other soldiers were also ordered to be landed, by reason this Island was in some danger from the French, notwithstanding which the *Larke*, Capt. Marshal and the Queen's regular forces went to Barbadoes immediatly and return'd not again till after the General's death. *Signed*, Richd. Oglethorp. *Copy.* 1 p. [*C.O.* 152, 9. Nos. 97, 97 i., ii. ; and (*without enclosures*) 153, 11. pp. 421–423.]

Aug. 29. **82.** Governor Lord A. Hamilton to the Council of Trade and
St. Jago de la Vega. Plantations. I trouble your Lops. at this time with duplicates of my two former letters, and transmit the Acts which have been already past this Assembly, with Journals, and the Accots. of the Revenue. The proceedings of a former Assembly will be deliver'd to your Lops. by Major Genll. Handasyd, to whom I referr the giving you such satisfaction touching the Laws then past as your Lops. may require. Amongst them your Lops. will

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find the Act of Fees, concerning which I had your Lops'. directions, and which I understand to have been amended conformable thereunto. Upon the proceedings of that Assembly your Lops. will observe they came to a resolution that they had a right to adjourn themselves for a longer time than *de die in diem*, which I am told they intended to assert by adjourning for a month against the Majr. Genll's. positive directions, and when business was yet undone, and which occasion'd an abrupt dissolution. I think myself somewhat oblig'd to mention this matter to your Lops., the better to explain one part of my speech to this Assembly; if your Lops'. leasure should permit you to cast your eyes upon it; but more that I may have your Lops'. opinion and directions in this particuler, if ever it should be attempted again; and wherein I cannot but in my own judgment agree with the Majr. Genll. that it would be of very mischievous consequence here, that the Assembly should, at any time, separate themselves against the Governour's commands: But if your Lops. will please to favour me with some Instructions herein, I shall intirely resign my own sentiments to yours. By the Acts past this Assembly your Lops. will find the usual and necessary provision made for the Regiment and other exigencies of the Government: and tho' as yet this is done but for three months, I must do them the justice to acquaint your Lops. it has not proceeded from any want of a good intention, but the necessity of affairs occasion'd by the shortness of time; and the want of having the accots. upon publick funds adjusted, which had been too long omitted, and which inclined me to yeild to them in it; having said upon that occasion what I thought proper to prevent its being drawn into practice. You will find (my Lords) the Act *for quieting possessions* is now past, exactly agreeable to H.M. pleasure signified to the Majr. Genll., and the other small Act *to prevent Hawking*, being for relief of a growing inconveniency, I think can meet with no objection from your Lops. I gave them leave to adjourn till Oct. 1st in respect to the season of the year proper for planting; and I dare flatter myself they will then meet in such a disposition as to compleat the Session as satisfactorily as it has been begun: and indeed as I shall always endeavour to keep them in this temper, as much as I can, so your Lops. will observe, there is a more than ordinary occasion for it now, when you find that notwithstanding £3000 had been given to the Treasury, to enable it to pay the Majr. Genll's. salary, I must still be necessitated to ask considerably of them for the contingencies of the Government: and unless they supply it, I am told there is not any money to pay me: But I shall examine further into the state of the Revenue, and endeavour to give your Lops. a more particular accot. of it. In the meantime I beg your Lops. to believe that nothing will be a temptation to me wilfully to forget or omit the nicest part of the duty of my station. There is in bank, I understand, about £2000 of that branch of the Revenue appropriated to fortifications; and I can not but say there seems employmt. enough for it; and I design forthwith to employ it accordingly in repairing old works, and making new

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where the service and defence of the Countrey may most require it. And upon this head it may be proper to mention to your Lops. that Capt. Hawkins, the Ingenier, has acquainted me of some information he has had of a motion at the Board of Ordinance to send for him away : I hope if anything of that kind be intended, your Lops. will interpose that Capt. Hawkins be not recall'd without somebody's being appointed in his stead ; assuring your Lops. that I think H.M. service here does in a particular manner require the assistance of an Ingenier, and especially at this time. I can't send your Lops. the particulars I promis'd you of his expedition to Providence, not having received it of him. I think it my duty to inform your Lops. of a letter I received from the French Genll. of the Coast of St. Domingo, lately arrived there, in the room of the Count de Choiseul, proposing in substance the settling a Cartel, which as I thought inconsistent with the interest of this Island, I rejected, with the unanimous advice of the Council. Mr. Littleton is return'd with the squadron under his command, having had advice that Mounsieur Du Cass sail'd with three men of war (three days after he left the coast) neither taking with him any merchant men, nor acquainting anybody what way he went. It's suppos'd he went directly home. The success of Mr. Littleton's former cruize I think (my Lds.) was in a great measure owing to his diligence and conduct ; nor could there reasonably be any hopes of further, after such an alarm given to the enemy. The galeoon which is taken proves less rich than was expected ; which implies that there's still the more on board those ships which Mounsir. Du Cass has with him. I hope from the notice that has been sent, he may still be met with in his passage. Mr. Littleton has now in concert with me determin'd to dispose of the squadron most for the service of the Island, and security of the Trade. One of the sloops fitted out by the countrey, before the arrival of those now in H.M. service, has lately done a very gallant action in having, with 70 men, taken a French privateer of 120 men from Petit Guavis, after a smart engagement, board and board ; which I mention the rather, because that sloop was mann'd out of those privateers who have been so much discourag'd by the duties, and by such behaviour merit something of the favour I hope is intended them. I have now one favour to beg of your Lops., which might have been introduc'd in a properer place of this letter ; however I will not omit it here, and that is (my Lords) that your Lops. will please to discountenance all applications which may be made to you for the Council here, without my privacy or approbation. I am perswaded your Lops. will entertain so favourable an opinion of my judgment and conduct, as to think me most capable (being upon the place) of recommending to your Lops. the fittest persons for that trust : and your Lops. will easily conceive the usefulness of having somewhat of reward to bestow upon such persons as shall distinguish themselves in the service of H.M. and the countrey, which will always be my rule in such recommendations. I had almost forgotten to mention anything of the old seal, which I herewith transmit to your Lops. *Signed,*

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A. Hamilton. *Endorsed*, Recd. 24th, Read 30th Oct., 1711. 4 pp. *Enclosed*,

82. i. Account of H.M. Revenue in Jamaica, March 25, 1710—1711. *Total*, £3470 6s. 3d. *Endorsed*, Recd. Oct 24, 1711. 4 pp. [C.O. 137, 9. Nos. 48, 48 i.; and (*without enclosure*) 138, 13. pp. 366—373.]

Aug. 29.
St. Jago de la
Vega.

83. Same to Lord Dartmouth. *Repeats parts of preceding, including last paragraph as to nomination of Council*. I am told that the prisoners at Lima are already discharged; however I intend to detain the galeoon-prisoners at least till I have further certainty thereof. I have not as yet had any answer to what I wrote to the Marquis de Suere by Mr. Littleton, *etc*. *Signed*, A. Hamilton. 2½ pp. [C.O. 137, 51. No. 54.]

Aug. 31.
Treasury
Chambers.

84. Mr. Lowndes to Mr. Popple. On reading to my Lord Treasurer (*enclosed*) report of the Rt. Hon., Jon. Howe relating to the severall bills drawn by Col. Vetch for money taken up by him for the use of the garrison of Annapolis, amounting to £7742 2s. 6d., wherein it is represented that there is no provision made by Parliament for such extraordinary expence, my Lord Treasurer transmits said report and desires that the Council of Trade will let him know whether there be not money of H.M. Revenues in that countrey that may be applied in ease of the said expence, and how much the same doth amount unto. *Signed*, Wm. Lowndes. *Endorsed*, Recd. 5th, Read 12th Sept., 1711. 1 p. *Enclosed*,

84. i. J. How to the Lord High Treasurer, July 10, 1711. *Report referred to in preceding*. Copy. 2 pp. [C.O. 5, 865. Nos. 67, 67 i.; and 5, 913. pp. 340—346; and 218, 1. pp. 11—18.]

Aug. 31.
Piscataqua.

85. Mr. Bridger to Mr. Popple. *Acknowledges letter of Nov. 18 etc. Explains why a tree must stand two years after being prepared and barked before being tapped for turpentine, and also his process of making tar, etc. Continues*:—I cannott be silent on the account of H.M. woods, the wast and destructions made therein daily, and not in my power to prevent, *etc*. I have no power to prosecute nor have I any foundation to ground an action on, since the Charter is not binding on H.M. side. I pray that I may be enabled by Instructions, Law, or any way as shall be thought proper to save all from destruction. Everyone has land and no limitts to it on that side next the woods, and that land wch. is H.M.'s if any such is common to all, but before Collins' contract I had them under correction, telling them that they could not cut a mast tree on their own land, but Mico, Collins' factor here, cut all before them, and at the same time are informing against me for destroying H.M. woods. The Governor here has recd. an order from the Treasury, their being a complaint against me lodged there, to examin and take the oath of these who has informed against me, but their is not one appears. This is the same complaint as was before their Lordshps. 5 years since,

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and because I have made seizures of his masts tho' not confirmed has given them this incouragment to begin againe. I have seen 40 masts, or very near that number now cut and lyes in this river above Mr. Collins' contract, if I could obtaine an order to seize them I am assured it would stoop there careire, and 'tis not £10,000 will make good the damage H.M. has sustained by that contract, there has been more waste made since that contract than was made in 20 years before. I humbly pray you to lay this before there Lordps., humbly begging there protection for such pernicious persons and malicious false and continued vilianys, who has done all the hurt possible and lay it on me. *P.S.* I wrote you by the *Humber*, wch. was ordered home, being thought to large for the Expedition etc. I am here loading a ship with masts for Jamaica by the Admiralty's order. This shipp was taken by the *Weymouth* and *Winsor* etc. The *Winsor* is gon for Quebeck, and the *Weymouth* convoys this shipp to Jamaica, etc. *Signed*, J. Bridger. *Endorsed*, Recd. Oct. 22, Read Nov. 2, 1711. 2 $\frac{3}{4}$ pp. [*C.O.* 5, 865. No. 71; and 5, 913. pp. 356-360.]

Sept. 3.
Windsor.

86. Order of Queen in Council. Referring following to the Council of Trade and Plantations for their report thereon. *Signed*, Christo. Musgrave. *Endorsed*, Recd. Jan. 31, Read Feb. 1, 17 $\frac{1}{2}$. 1 $\frac{1}{4}$ pp. *Enclosed*,

86. i. Petition of Capt. John Walton to the Queen. *Refers* to Representation on the Virgin Islands, April 17, 1711. Petitioner never had notice of the persons who attended the Board, and consequently no opportunity to confute their allegations, for want whereof their Lordships have mistaken several matters in fact, and omitted others that were necessary. Prays H.M. to hear him by his Councill, etc. *Copy.* 2 pp.

86. ii. Copy of Representation of April 17, 1711. [*C.O.* 152, 9. Nos. 96, 96 i., ii.; and (without enclosure ii.) 153, 11. pp. 418-421.]

Sept. 3.
Boston.

87. Governor Dudley to Mr. Secretary St. John. *Encloses copy of letter formerly sent by a merchantman.* What has occurred since is that on the 29th of July, the General and all the Fleet and Force being ready set saile with a fair wind and thirteen days after were spoken with near the mouth of the River, and the winds and weather since have been very good and easey, so that I account them to have been in sight of Quebeck ten days at least and hope in God they are well proceeded in their approach to the town, and twenty days more will I hope give in good news from them. On the land side Lt. General Nicholson has been at Albany these 25 days, and as he advises by his letters is gon 10 days since from Albany towards Woodcreek where the battoes, and provisions must take the water to go down towards Mount Real, and 10 days will bring them thither. We have no doubt but by the favour of God the forces, stores and provisions on both sides are superiour to the enemy and sufficient for the service. And we take courage from H.M. most just and honour-

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able declaration in her instructions to these Governments of the reasons of her proceedings to which every sensible man must agree. We are in expectation of the Mast Fleet, tho' doubt it will be late, by which safe conveyance I always send home the years accounts *etc.* Capt. Parkington and Capt. Goodall are both here in H.M. ships which they command to see if any French Fleet threatned Port Royall, but we suppose ourselves and that Garrison is in no danger from the French this year, but if the war hold and the French King at leisure, may see them next summer. *Signed, J. Dudley. 2½ pp. Enclosed,*

87 i. Same to Same. Boston. July 11, 1711. Col. Nicholson arrived here June 8 with H.M. commands. Upon which the several Governours met at New London, the midway between Boston and York, and soon concluded the severall quotas of the Governments of New York, Connecticut, East and West Jersey, and Pensilvania, to make 1600. Which being joyned with H.M. regular troops consisting of 400 at New York makes the 2000 which H.M. has commanded to send on the land side towards Mount Royall, Troy River and elsewhere. At my return from the Congress I found the whole Fleet arrived and General Hill and the forces in good health, who are now all encamped on the shore to be refresht and fitted for the remaining part of the voiage, and I have obeyed H.M. command for my thousand men for the Provinces of the Massachusetts and New Hampshire, they are drawn and at this time putting on their cloths, my transports and provisions will be ready in five days time to go to sea. The only want is of good salt provisions for H.M. Brittish troops, which it is impossible to kill and provide at this season of the year, and that forces us to send as far as Virginia and all the remote parts for such salt victuals and bread as can be gotten, which will delay some short time. The General and the Admiral are with utmost diligence pressing forward, and I hope everything will be ready from the other Provinces, so as to put to sea before this month be out. And if God please that they have a good voiage, they will be yet time eno', tho' it had been unspeakably better if the Fleet had arrived a month or six weeks sooner as was projected. *Copy. 1 p. [C.O. 5, 898. Nos. 9, 9 i.]*

Sept. 3.
Windsor.

88. Order of Queen in Council, granting letters of denization to Moses Israel Henriquez, Jacob Rodrigues Mendiz, Isaac Peixoto of London and Rodrigo Pacheco of New York. *Signed, Christo. Musgrave. 1½ pp. [C.O. 5, 11. No. 68.]*

[Sept. 4.]

89. Petition of John Evans, Captain of H.M.S. *Defiance*, to the Queen. Petitioner being Commander of the *Richmond* man of war in 1693, was sent to attend the Province of New York, where he continued almost 6 years, and performed considerable service for the benefit of that Colony. Col. Benjamin Fletcher,

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then Governor, in consideration thereof, and of £500 paid to him by petitioner in lieu of his established fees upon grants of lands, by letters patent under the Great Seal of that Province granted petitioner a large tract of unappropriated land call'd Murderer's Creek, containing 18 miles in length fronting on Hudson's River, and 30 miles backward, which had been bought by Col. Dongan when Governor of New York from the Indian natives for £70. On which tract petitioner expended great sums of money in clearing severall places for farms, and planted several families of Scots and Irish under annual rents, intending to retire thither himself when there should be a happy and lasting peace. After Col. Fletcher and petitioner were commanded from New York to England, Governor Lord Bellomont, having conceived some prejudice to them both, and designing to take to his own use and profit several tracts of land which had been granted by Col. Fletcher to petitioner and others, in order thereunto procured an Assembly to be chosen of ignorant, necessitous and profligate persons, (most of them Dutch) who by his direction passed an Act for *destroying extravagant grants etc.*, whereby petitioner was stripped of his lands and improvements, but the said Act being sent over for the confirmation of the late King, H.M. upon a true representation of the ill practices used to obtain that Act, refused to confirm it, but not rejecting it, the same continued in force till repealed by a subsequent law. Upon the arrival of Governor Lord Cornbury, the inhabitants of the Province, thinking their titles precarious whilst such an Act remained in force, apply'd for redress to the first Assembly conven'd by his Lordship, who by another Act unanimously repealed it, whereby petitioner was restored to and enjoyed his lands till your Majesty sent a great number of Palatines to New York, when your Majesty having not been truly informed how those Acts were obtained, was prevailed on to confirm the Act of Assembly made in Lord Bellomont's time and to reject the Act of repeal, and to grant petitioner's lands to those Palatines, by which means petitioner who has been in your Majesty's sea-service during your whole reign *etc.* is deprived of his property, and of an estate for wch. he had been offer'd £10,000 sterl. in England, without being heard in his defence, or having the least notice thereof, till at his late return from ye streights, he was inform'd of it to his great surprize. *Prays* to be restored, there being other unappropriated lands in New York sufficient to receive the Palatines, or that he may be given an equivalent. *Subscribed,*

89. i. Lord Dartmouth to the Council of Trade and Plantations. Whitehall. Sept. 4, 1710 (*sic*). *Above is referred* to the Council of Trade for their report thereon. *Signed,* Dartmouth. *Endorsed,* Recd. Oct. 31, Read Nov. 1, 1711. 1½ pp. [C.O. 5, 1050. No. 28; and 5, 1122. pp. 441-444.]

Sept. 5.
Virginia.

90. Lt. Governor Spotswood to the Council of Trade and Plantations. *Acknowledges* letters *etc.* of March 12 and April 13. Immediately upon the receipt of H.M. commands concerning the

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boundarys, I dispatch'd an express to Mr. Hyde, whom we look upon here, to be Governor of North Carolina, desiring him to let me know whether he had received authority from the Lords Proprietors to appoint new Commissioners, that I might pursuant to H.M. pleasure appoint the time and place of their meeting, and shall upon the return of his answer take all possible care for expediting this affair. I shall according to H.M. commands publish the repeal of the Law passed in 1666 *declaring what is meant by seating of land*. But I hope your Lordps. will be fully satisfied by perusing the Act *for settling the titles and bounds of lands* passed last Session of Assembly, and what I have formerly writt on that subject, that there is no occasion for publishing H.M. Order in Council of April 17, 1707, of which your Lordps. have now sent me a duplicate. Your Lordps. will observe by some of my former letters how much the Country disliked the Instruction for regulating the taking up of land, insomuch that it was the chief greivance with which they charged their Representatives to the last Assembly. That in pursuance of this charge the house of Burgesses made early application to me for granting patents for land upon the former terms, and that by my answer to their Address and some other means I had the good fortune to stave off a representation which they intended to make to H.M. on that subject, by all which your Lordps. will find how little hopes there is, that the Assembly will pass the 84th Article of my Instructions into a law as is proposed by H.M. Order in Council of March 24th. The condition of cultivating and improving mentioned in that Instruction, has been and is still thought so hard and impracticable, that your Lordps. may remember what pressing applications the President and Council formerly made for obtaining an alteration of it ; yet notwithstanding the general prejudice against this Instruction, I thought myself so far obliged to support it, that I would not suffer the last Assembly in their law concerning land, to mention anything of the manner of granting or terms of seating otherwise than to oblige the Patentee to comply with the condition of his patent on the penalty of forfeiture of his land ; and having afterwards made the patents conformable to H.M. Instructions as to the conditions of cultivating and improving. I am humbly of opinion that H.M. Instruction being the rule for the Governor's granting of land, and the late law making it so penal for the patentee if he does not comply with the condition of his grant, H.M. intentions are as fully answered as if that Instruction were passed into a Law in terminis, which can never be expected from an Assembly. For tho' the necessity of passing in the last Assembly a law to settle the titles of land between party and party, for avoiding that confusion wch. must have been introduced in all the Courts of Justice upon the repeal of the former, made them more easily yeild to the clauses I proposed, yet the people are now so much convinced that all the fraudulent practices formerly used to avoid the payment of their quitt-rents are by this means obviated, that they would gladly lay hold of any handle to new-model that Law, and I very much fear the propos-

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ing the enacting H.M. Instructions into a law, would rather give them occasion not only to complain against it, but even to endeavour a repeal of that now in force, which is look'd upon as one that contains a clause or two the most beneficial for the Crown, that ever passed a Virginia Assembly : and as I may say it was not without a good deal of Address that I obtain'd them, so I'm sure I yeilded none either in this law or any other that I passed, which I imagined would be anyways prejudicial to the Crown or to Great Britain, as indeed the Virginians do me the honour to characterize me for a person who will take care that neither of those interests shal lose ground when I command ; while on the other hand they do not stick to tax their Burgesses with being either asleep or guilty of too great complaisance when they passed a law which abridges them of their former priviledges. So that upon the whole matter, I hope your Lordps. will beleive I act for H.M. service if I forbear to lay H.M. Order in Council before the Assembly untill I receive your Lordps. further opinion upon what I have here represented, tho' I'm afraid it cannot be so speedily dispatch'd as to reach hither before the next session, which is to meet Nov. 7th. Notwithstanding H.M. positive orders notified to the Lords proprietors and Government of South Carolina to permitt the traders of Virginia freely to pass through that Province to trade with the Western Indians, that Government have in June last thought fitt to pass an Act in contradiction to H.M. order, and thereby imposed on the Virginia traders all the hardships H.M. intended graciously to remedy by her Order in Council, and having obtained from Coll. Quarry now lately returned from Carolina a copy of that Act, I have here inclosed it not doubting your Lordps. will thereupon make such a representation to H.M. as may free the inhabitants of this Colony from the like future impositions. *Signed, A. Spotswood. Endorsed, Reed. April 10, Read Dec. 11, 1712. 3 pp. Enclosed,*

90. i. Copy of Act of Carolina, June 28, 1711, *to oblige those traders that come from Virginia and other neighbouring Colonys to trade with the Indians or white persons living within this Province and Government to come first to Charlestown and take out licences to trade, and to be subject to the like regulations and pay the same dutys of import and export with the inhabitants of this Province and Government who trade with the Indians living within the bounds of the same. Same endorsement. 4 pp. [C.O. 5, 1316. Nos. 84, 84 i. ; and (without enclosure) 5, 1363. pp. 416-421.]*

Sept. 5.
Virginia.

91. Lt. Governor Spotswood to [? Lord Dartmouth]. *Acknowledges letter of April 14, with H.M. Order in Council March 24 q.v. The measures I have taken already in making all patents for land conformable to H.M. Instructions, together with the clauses I got inserted in an Act pass'd last Session of Assembly (v. March 6), will I hope fully answer H.M. intentions without putting the Assembly to the tryal of enacting that into a law against which the countrey has already show'd a general dislike. I have*

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writt fully by this conveyance to the Lords Commrs. for Trade, etc. Signed, A. Spotswood. 2 pp. [C.O. 5, 1337. No. 14.]

Sept. 9.
From on board
the *Windsor*
in the
Spanish River.

92. Brigadier General Hill to Lord Dartmouth. *Encloses duplicates of July 31.* The 30th of July wee sayled with a fair wind from Nantasket Bay, in New England, and had a very good passage to Gaspée Bay, where the wind took us short Aug. 18, and obliged us to go in there for a day or two, but it coming fair the 20th, wee continued our voyage to the River of St. Lawrence wth. various winds, and Aug. 22 the wind came up very fair, and wee being with all the men of warr and transports in the mouth of the River, hoped for a very quick passage to Quebeck, but about half an hour after tenn at night, the Fleet fell in with the land of the North side of the River, near the Isle of Eggs, where with great danger to the whole Fleet wee lost the transports *Malbrough, Smirna marcht., Colchester, Saml. and Ann, Isabel Ann and Catherine, Chattham, Nathl. and Eliza, John and Sarah,* with the officers and numbers of men mentioned in the inclosed list, with severall flatts of cloathing and a large quantity of provisions, and one of the three ships with corne etc., which I was obliged to buy at Boston, before the arrivall of the provisions from New York. The next day and the day after the *Leopard* and some sloops were employed in bringing off the scatter'd remains of six and twenty companys of Seamour's, Windress's, Clayton's and Kane's Regiments, which were so mangled and bruised on the rocks, and naked withall, that they were not in any condition of service. After this sudden and unexpected disaster, it was thought adviseable to know the opinion of the sea Captains, and to examine the pylotts touching our further navigation of the river, who were unanimously of opinion, it was impracticable (*v. enclosure ii.*). In consequence of which I and the Colonells under my command thought it for the service, that since wee could not gett up to Quebeck, wee should without loss of time come to an anchor in such place as the Admirall should think most proper, in order to arme what remained of our shipwrackt troops, and to make a disposition for attaueing Placentia, according to the 21st Art. of H.M. Instructions. At first the Admirall proposed Gaspée Bay, but on second thoughts judged Spanish River more proper, as being just opposite to that place; wee sayled Aug. 25th from the River of St. Lawrence, and arrived not here till the 4th instant. The *Kingston* by which wee expected three storeships, wch. Coll. Hunter was to send with victualls from New York, joyned us a day or two after, but brought no provisions; upon this disapointment a Councill of Warr of sea and land officers was held, in which the state of our provisions was considered, and finding them scarce sufficient to carry us to England, being but 10 weeks at short allowance, and there being no probability of being supplied wth. more at Placentia, by reason of the winds and slouny [*? stormy*] weather, of which seamen have had experience this season of the year, the Councill of Warr was unanimously of opinion that the attempt upon Placentia was at this time altogether impracticable. (*Refers*

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to enclosure iii.). Yesterday the *Enterprize* and *Tryton's* prize from Virginia came into this place, and wee were in great expectation when wee saw them in the offin, that the three storeships with our provisions from New York were come, which would have most happily changed the scituation of our affairs, in renewing our hopes of taking Placentia in our return, but the Captains of those ships told us that Coll. Hunter had sent the Victuallers by the way of New London. Finding by severall letters which have been intercepted from Placentia, to some of the French inhabitants of Nova Scotia, as well as to Monsr. Ponchartraine, the Secreatary of the Marine in France, that H.M. Garrison of Annapolis may possibly be attaques from thence, I thought it for the service to make a detachment of 350 private men, with a proportionable number of officers, together with one company of Mohaques, who will be of use for scouring the woods, and according to the power given me in my Instructions, I have appointed Major Cawfield, a gentleman that has served very well, to be Deputy Governour, which was absolutely necessary for keeping good order and discipline in the garrison. I have likewise sent an ingenier and a sufficient quantity of ordnance stores : and Col. Vetch having represented to me that a man of warr for attending that garrison is indispensably necessary, and that he was promissed one from England, I have desired the Admirall to appoint such ship as he should think proper for that service. I have only now to add, that I am sencibly afflicted for the loss of so many of H.M. troops, and the great disappointment wch. this disaster has occasioned to your hopes of success, and my endeavours for promoting this service all that was in my power, referring you to Coll. Clayton's relation of particulars, whom I have sent to England for that purpose. *Signed, J. Hill. 8 pp. Enclosed,*

92. i. List of officers, men and women (35) lost. *Total, 740.*

1 p.

92. ii. Resolution of Council of War of Sea officers. At a consultation of sea officers belonging to the squadron under comand of Sir Hovenden Walker, Kt., Rear Admirall of the White, on board H.M.S. *Windsor*, Aug. 25, 1711, in the River of St. Lawrence. The respective pilots on board the men of warr having been severally examined, wee are unanimously of opinion, that by reason of the ignorance of the said pilots, it is wholly impracticable to go up the River of St. Lawrence with the men of warr and transports so farr as Quebeck, as also the uncertainty and rapidity of the currants as by fatall experience we have found. *Signed, Hovenden Walker, Jos. Soanes, Jno. Mitchell, Robt. Arris, Geo. Walton, Hen. Gore, Geo. Paddon, Jno. Cockburn, Augustin Rouse. Copy. 1½ pp.*

92. iii. Resolution of Council of War of sea and land officers held on board H.M.S. *Edgar* in the Spanish River, Sept. 8, 1711. The 21st Art. of H.M. Instructions to the Generall, for attacking Placentia in his return from

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Canada, together with the 10th Art. of the Admirall's Instructions to the same purpose being severally read, as also a letter from Governour Dudley to ye Admirall touching the lateness of the preparation of provision now making in that Colony, for supply of the troops, if they had wintered at Quebeck, the question was putt as followeth (vizt.), the state of provissions for the ships of warr and land forces being considered, which provisions not amounting to above 10 weeks at short allowance computing it from ye 12th of this instant September, as appears by the Agent Victuallers' signed account thereof, and allowing it to be all good, and to hold out to that time, the said 12th Sept. being the soonest we can saile from hence, and there being no hopes of any supply from New England before the beginning of November at soonest, as appears from advice received from the Governour of New England, and the opinion of two of the members of the Councill of Warr who know that country, together with the uncertainty of any provisions coming to us at Newfoundland by reason the season of the year is so farr advanced, which makes the navigation of that coast so dangerous. The Councill of Warr is unanimously of opinion that the attempt for reduceing Placentia under the circumstances and difficultys above-mentioned, is at this time altogether impracticable, and that it is for H.M. service that the squadron and transports with the Brittish troops do forthwith return to great Brittain, and the forces raised in New England, to that Colony. *Signed*, Hovenden Walker, Joseph Soanes, John Mitchell, Robt. Arris, Geo. Walton, Hen. Gore, Geo. Paddon, Jn. Windor, Jn. Cockburn, Is. Cooke, (Brigadier) J. Hill; (Colls. of H.M. troops), Char. Churchill, Wm. Windress, M. Kempenfelt, Jaspr. Clayton, P. Kirke, Hen. Disney, Richd. Kane; (*Colls. of the forces raised in New England*) Sam. Vetch, Shad. Walton. *Copy.* 2½ pp. [C.O. 5, 9. Nos. 14, 3, 12, 13.]

Sept. 10.
Newhaven.

93. Deputy-Governor Saltonstall to Mr. Secretary St. John. As soon as I recd. H.M. commands of Feb. 21 last, relating to the Expedition, I ordered a convention of the Council and Assembly. They unanimously agreed with me to express our gratitude and ready obedience to H.M. (*Address enclosed* by this first opportunity of the *Harley* packet boat), and afterwards did with all readiness pass the necessary Acts, for furnishing our quota of men for that service. With them I march'd to Col. Nicholson at Albany. I took leave of him there, July 29th, he designing the next day to follow the troops to Woodcreek (where they take water to pass the Lake Champlain) the most of which were on their march thither some days before. There was a very good appearance, at Albany of the 5 nations of Indians, commonly call'd ye Iroquois, and everything requisite in the Expedition

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was in good readiness by the indefatigable care and diligence of H.E. Col. Hunter, and Lt. Genll. Nicholson : The Indians shew'd a good forwardness in the service. Upon my return to this Colony I mett with the good news of Genl. Hill's and Admiral Walker's being in the River of St. Laurence, standing up for Quebeck, with a fair wind, on Aug. 13th. And I am in good hope that I may in a short time advise your Honr. of the good success of H.M. arms, etc. *Signed*, Gurdon Saltonstall. *Endorsed*, R. Oct. 22. 2 pp. *Enclosed*,

93. i. Address of the Governor and Company of Connecticut to the Queen. We your Majesties most dutifull and loyall subjects convened in Generall Assembly, having received your Majesties commands to be aiding in carrying on the Expedition your Majestie has ordered against the French inhabiting North America ; esteem it our duty in the most humble and thankfull manner, to acknowledge the great instance which, in appointing that expedition your Majestie has given us of your Royal concern for the safety and weal of your Colonys against that enemy. Their lying in wait to kill and scalp single persons on our frontiers, their surprizing and cutting off families, their stealing of captives, torturing and making slaves of them, and suchlike murthers and cruelties, is what they call carrying on the warr. All which is frequently done by their skulking parties (in conjunction with the Indians in their interest, whose bloody and barbarous manners they have imbibed, and long practised). And these are mischiefs which nothing can give us so good hope of security from, as that removall of this enemy which your Majestie designs. We shall with all possible vigour and diligence apply ourselves to the executing of that part, which your Majestie has allotted us, etc. *Return thanks for supply of clothing, arms, and ammunition, and pray for success of the expedition and H.M. arms everywhere.* June 19, 1711. *Signed*, Gurdon Saltonstall, and Caleb Stanley, Secy. By order of the Generall Assembly. 2 pp. [C.O. 5, 898. Nos. 14, 14 i.]

Sept. 11.
From on board
the *Windsor*
in the mouth of
Spanish River
in the Island of
Cape Britton in
N. America.

94. Col. King to Mr. Secretary St. John[s]. *Encloses continuation of Journal (v. July 25).* I flatter'd myself so much with the hopes of succeeding on this expedition so truly advantageous to England and so heartily desir'd and put into that forwardness and good method by you : that I can't express the greatness of my concern for the dissapointment : nor the uneasiness it gives me to think what a loss it will prove to our poor American Coloneys, how much it will contribute to depopulate their frontiers : to diminish their trade, and discourage all people by the constant wars they must now be oblig'd to maintain, from settleing among them or improving the lands. And what is still a more melancholy reflexion, that they dare hardly expect any releif for the future, when they see this great effort

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England made to succour them thus ruffled and defeated, notwithstanding a General conducted it who did all that was humanely possible to make it successfull. This is what was obvious to all, and a justice that must be done him upon all occasions to his Queen, his country and friends. Since it's determin'd we are to return, I hope in a very little time after you receive this, I shall have the honour of waiting on you in London, *etc.* Signed, Rich. King. P.S. I sent you by Capt. Cullyford of the *Humber* an account of our proceedings to Aug. 15, *etc.* Endorsed, Rd. Oct. 6, per Col. Clayton. 2½ pp. Enclosed,

94. i. Continuation of Col. King's Journal. Aug. 15, 1711, the *Devonshire* and *Humber* left the Fleet to cruize to the latter end of this month betwixt the Island of St. Paul's and Cape Ray, and then to proceed to St. John's in New-found-land, and from thence to England. This day the Admiral sent likewise away the *Chester* to Boston to convoy the mast fleet from thence. The 16th we made the Capes Bonaventura and Gaspa, and the 17th the Island of Anticosta. As we were both these dayes prevented by contrary winds from entering into the mouth of the River of St. Laurens, the Admiral thought fitt to sail with all the Fleet to the Bay of Gaspa the 18th and anchor there, least we should be despersed or drove back by contrary winds. Aug. 20th. The wind coming to the East we sail'd out of the Bay of Gaspa and the Admiral order'd a Basque fishing vessell we found there to be burnt, not being able to gett her equipt in time to carry her with us. The 21st the *Mountague*, *Saphire* and *Sunderland* join'd the fleet. They were sent to cruise off of Bonaventura and the Bay of Gaspa while we were there at anchor, *etc.* The 22nd since yesterday at noon to twelve a clock to-day our course was N.W. and by W. distance 34 miles. The 23rd we had rainy and foggy weather with a very fresh gale at East. At 8 at night we found by our logg to have run since yesterday at noon 45 miles west. At this time the Admiral lay'd by for fear of falling foul on one side or other of the River: for it was then so excessively dark we could not see from one end to the other of our vessell. At half an hour after ten we saw land to leeward of us, and as soon as we were convinc'd it was so (for we all imagin'd to be several leagues distant from it) we made with the utmost expedition all the sail we could to gett clear of it, but finding we could not we were forc'd to come to an anchor near l' Isle aux Œufs in 7 fathom water with a shoal of rocks on each quarter within a cable's length of us, which we plainly perceiv'd by the waves breaking over them in a very violent manner. Till the minuit we came to an anchor it rain'd very hard and blew a perfect storm directly on shore, when of a sudden it fell quite calm. If it had continu'd with the great

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violence it did before we came to an anchor ; our anchors could not have held and we should have all been lost. For the wind and the vast seas which ran would have broke our ship in moment in ten thousand pieces against the rocks ; and betwixt them and the shore 'twas at least five miles. At two in the morning the wind shifted to the north. At four we weigh'd our sheet anchor ; and at five a fresh gale coming fortunately off the shore from the west, we cutt our small and best bore cables and sail'd off. All the night we heard nothing but ships firing and showing lights as in the utmost distress : so that we could not but conclud that the greatest part of our Fleet was lost : and indeed there were not 10 ships in the whole that were not in danger of being cast away. *The 24th* the *Leopard* with several sloops were sent in to bring off the men and provisions that were sav'd from the wracks. In the afternoon we had an account that we lost ten sail, viz. eight transports with soldiers, one loaded with corn, and a sloop belonging to a sutler. All this day the wind was contrary at South-west, so we ply'd from one side the river to the other. *The 25th* the Admiral call'd a Council of war of all his captains aboard the General to have their opinion whether we could proceed with any safety. They all unanimously agreed that it was not practicable to go up the River with this Fleet so late in the season without Pilates : every one of those we had declaring they were not capable of takeing the charge of any one of the men of war : so that the General and Admiral resolv'd forthwith to return : quitt the Quebeck expedition and endeavour to reduce Placentia : and having given orders to the *Leopard* with three brigantines and sloops to bring off some of our men who went into the woods and all the provisions he could : and then to follow us to Spanish River in the Island of Cape Britton, about 7 in the evening we bore away with all the rest of the Fleet for the Bay of Gaspa. *The 26th* the Admiral sent away the *Mountague* to stop the *Devonshire* and *Humber*, and the *Saphire* to Boston with letters to recall Nicholson, and to acquaint the Governours Dudley and Hunter of our misfortune. *Sept. 4th* we came to an anchor in the mouth of Spanish River. *The 5th* we were employ'd in takeing an account of our provisions in order to make an equal distribution of them, and in making an enquiry through all the Fleet for Pilates to Placentia. *The 6th* the *Leopard* join'd the fleet with the sloops left with him to bring off the wracks : and eight of the New England transports which did not see us when we bore away or return'd. There join'd us likewise with him the *Kingston* man of war, who being assur'd by Capt. Cullyford of the *Humber*, Aug. 20th, off of Cape Britton that our Fleet was then at Quebeck :

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he took our fleet in passing by us in the Lake of St. Laurens for the French Fleet, therefore stood from us : and if he had not fortunately mett with the *Leopard* at his returning out of the mouth of the river, he would have made the best of his way to Quebeck. He brought an account from Boston, from whence he parted *Aug. 12th* that Capt. Southwyck, Commander of the *Province* gally, would be ready to sail from thence in eight dayes with the brigantine hir'd for the transportation of the artillery stores from Annapolis : that the provisions to be provided in New England could not be sent away before Oct. 1st : and that Col. Hunter would send as soon as possibly he could the remaining part of the provisions he was order'd to provide to New London, from whence the Admiral said he would take care they should be convoy'd to us. He brought us likewise the copys of two letters from M. Coste Belle, Governour of Placentia, to M. Ponchartrin, wherein the receipt of a letter from him of Feb. 15th was acknowledg'd, giving an account, that preparations were makeing in England for an expedition against them and Canada : and that these preparations consisted of seven men of war and 3000 men : that just before the dates of his letter which are of July 22 and 23 he had intelligence by several fishing sloops belonging to New England taken and brought into Placentia that our Fleet was arriv'd at Boston. Then having given a tolerable exact account of our force both by sea and land and what we were to be join'd by from our American Coloneys : he proceeds to give much the same account we had at Boston of the strength of Quebeck : how prepar'd they were there to receive us. But that their cheif defence and what they depended most upon was the difficult navigation of the River, which he hop'd would defeat us ; that he had sent H.E's. letters by a sloop to M. Vaudreul, who had already invited all his Indian allies to come to Quebeck to a feast he would there prepare for them of English flesh ; that he (M. Coste Belle) had for some time expected to be attack'd ; therefore had made preparations accordingly : and did not doubt but to give a very different account of Placentia to what the Governour of Accadia did of Annapolis : that the regular troupes, the militia and fishermen at Placentia would make above 2000 men ; however he begs he would order that the three companies taken at Annapolis might be sent him : as also some provisions which he should be in extream want of ; the greatest part of those that were coming to him from Quebeck being lost in sloops coming down the River of St. Laurens : that he had sent Monsieur la Ronde (under the pretence of settling an exchange for prisoners) to observe what preparations were makeing there, and dissuade the Governmt. from giving us any

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supplys of men or provisions. With the copy of these letters there was one from the Ingeneer of Placentia directed likewise to Monsieur Pontchartrain wherein he assures him that the forts and redoutes there were in a very good condition and capable with the forces they had to make a long defence : that all the inhabitants of Accadia by the ill usage and great severity they mett with had taken up arms and block'd up our fort there : that he understood they had a great opinion of him : therefore he beg'd he would order him thither, and he did not question but he would in a very little time drive us out of that country. The *Kingston* man of war had these letters from the *Warwick* off of Cape Britton, who was going with them to the Governour of New England according to orders he had receiv'd to carry or send him all news of consequence he should meet with. They were taken in a merchant vessell going to France by two of our privateers. The 7th the General and Admiral call'd a Council of War of the sea and land officers to lay before them our present state and to have their opinion how we should proceed further. As soon as the Council had examin'd the account of our provisions and found it would only serve for 11 weeks at short allowance, they all unanimously agreed (I'm inform'd) that without risquing the loss of both fleet and army, there was no other course to be taken but returning from hence directly home to England. Whereupon, the 8th, the Agent Victuallers were order'd to make an equal dividint of the provisions that in case of separation each vessell might have wherewithall to carry him home. The artillery stores provided at Boston and put aboard the Brittish transports were order'd to be put aboard the New England vessells in order to be sent to Annapolis : and to garrison that place and releive the New England troupes and marines there 350 men with officers in proportion were appointed to be detach't out of our forces. The 9th the master of a sloop from Quebeck bound to Placentia with provisions was brought in here. He said he left Quebeck the 22nd of the last month, that they had been working at the fortifications of the town all the summer : that they had perfected the inward rampart which was ruin'd and that they had made a strong retrenchment from Beauport to the Town, the only proper place for landing at ; that M. Vaudreul was at Montreal fortifying that place ; that there were 1000 regular troupes in Canada, and above 10,000 militia : that hearing nothing of us when he came away, they did not expect we could visit them this year ; and that they had no account at Montreal the 16th of Aug. that our troupes were advancing by Chambly. The 10th the *Enterprize* and *Triton* men of war join'd us here from Virginia, they brought no other news than that Gover-

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nour Spotswood had sent 900 barrils of pork to New York to be sent from to us. This day it was resolv'd to send the *Leopard* man of war to England to inform the Governmt. of our misfortune and that we were coming all home. 8 pp.

94. ii. An account of the men and vessells that were lost and shipwrack't neare les Isles aux Œufs in the River of St. Lauren's the night of the 23rd Aug., 1711. *Totals* : Officers (including 1 Surgeon and 1 Chaplain) 31, N.C.O.'s. and privates, 676 ; women 35, (=742) from General Seymour's, Col. Windress's, Col. Kane's and Col. Clayton's regiments.

Transports lost : *Colchester* (530 tons) ; *Nathaniel and Elizabeth*, 297 ; *Samuell and Ann*, 225 ; *Marlborough*, 218 ; *Isabella*, 326 ; *Chatham*, 150 ; *John and Sarah*, — ; *Smirna merchant*, 364 ; a provision vessel of 120 tuns. 1 p. [C.O. 5, 898. Nos. 15, 15 i., ii.]

Sept. 12.
New York.

95. Governor Hunter to the Council of Trade and Plantations. *Acknowledges* letters etc. of March 16, April 10, and June 29. I must begin with humbly begging your Lordps'. pardon for haveing omitted acquainting you with what was contain'd in one of mine to his Grace the Duke of Marlborough relateing to ye stores, arms and amunition in the forts of this Province, and indeed, ye Assemblys of ye two Provinces, the care and imploying of ye Palatines, the Indian affaires, the present expedition, and ye perplexitys in both Governments, hardly affording me time for naturall rest, may be allowed to plead for me, if I should unwarily be guilty of such another omission at this time. That matter of the stores is now at an end, and sufficiently remedied by the quantity brought hither for ye Expedition, but can now send noe perfect account of what may remaine because I know not as yet what may be left at Albany after ye troops imployed upon this Expedition are supplied. As to Mr. Polhampton's Memoriall (v. April 10th) I had long ago taken all imaginable care of ye musters of the four companys, haveing given strict charge to those that muster them to pass none upon the rolls but ye effectives, but there is an evil there which wants a remedy, and may have occasion'd that Gentleman's mistake in his computation of ye numbers of ye effectives, since ye first establishmt. of these four company's there has not beene one invalid belonging to them taken into ye hospitalls, tho' they have paid all along for that purpose as ye rest of ye army has done, soe that at this time wee have about 50 of that kind who are not able to doe any manner of duty, and are a charge to their Cpts. not being able to subsist upon their pay. I humbly propose that some homeward bound man of warr may be ordered to transport them to England in order to their being received in ye hospitalls, or to save ye trouble and expence of transportation that H.M. may be moved to give directions to ye Managers to enter upon outlyer's pay as it is term'd, such numbers of that kind as shall be found by speciall musters and ye Governor's certificate to be

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actually upon ye place. On June 14th I received H.M. Instructions *etc.* relateing to ye Expedition against Canada, wherein I had orders to procure 3 months' provisions for 5000 land forces which went by sea, and in conjunction with ye Governors of Connecticut, Rhode Island and Pensilvania to raise 2000 men to march by way of ye Lakes to Montreall under ye command of Francis Nicholson Esq. The Quota's were ascertain'd in ye Council of Warr according to ye proportions in H.M. Generall Instructions *etc.* Which forces were accordingly raised to a very few, except those of Pensilvania from whence wee have had none, and on Aug. 29th I left them all upon their march beyond Albany toward ye Lakes compleatly armed, clothed, accoutred and victualled, being to be followed next day by 800 Indians of ye Five Nations and their allies from Albany. Inclosed your Lordships have cotypes of my transactions with the Indians upon this occasion and of another interveiw I luckilly had with them immediatly before I had received H.M. commands relateing to this Expedition. *Refers to other enclosures, Sessional Papers and Acts.* I have not time being but just return'd from Albany and the packett on her departure to make my observations on these Acts, neither doe any that are materiall occur to me at present, which is also ye reason I doe not at this time give yr. Lordpps. ye accots. of these Provinces by seperate letters. I informed yr. Lordpps. how oddly the former Assembly of New York had in a manner dissolv'd themselves. This Assembly which consists of all the same members save one, unaccountably ye day after they had resolved to take ye latter part of my Speech relateing to ye support of Government into their consideration, addressed for a prorogation, they are to meet againe on Monday next, but to as little purpose I beleive as formerly, for soe long as ye Members hold their elections by noe other tenure, but that of saveing ye publick money or starveing the Government, there is nothing to be depended upon from them upon that score, tho' their frequent sessions cost the country more than a reasonable support of Government would doe. I shall make but one remark more on ye conduct of this Assembly. When by inadvertency or designe there happens some mistakes in their Acts, which render'd their passing ye Council impossible, I had noe remedy left but after a first reading in Councill to returne them privately to ye Speaker, as if they had not been read with a request to amend them in their owne house, for they will not admitt of an amendment from ye Councill tho' but of one word in what they call a money Bill, tho' ye safety of ye whole depended upon it. This conduct how unparliamentary soever (for they will be a parliament) I was obliged to follow or baulk ye Expedition. As to ye Palatines, the tumults raised among them by ye ill arts of such as had a mind to crash ye designe, have had a quite contrary effect, for since that time, and a new modell of management, they have been very buissy and very obedient. I have now prepared neare 100,000 trees, and in ye fall sett them to work about ye second preparation. Mr. Sackett, who has ye direction of that work, and seems perfectly well to understand it, has

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prepared some thousands in a manner to produce a quantity of tarr next spring, but that being little better than an experiment I doe not much depend upon it. Mr. Bridgier's haveing basely declined, nay endeavour'd to betraye this service, has promoted it, soe that I think Providence favours it, for the gentleman now imployed has been three yeares amongst ye tarr workers in the Eastern countrys, and his manner is soe different from Mr. Bridgier's that I have good reason to conclude that he knew little of ye matter and would have served only to have thwarted ye other and obstructed ye designe. I beleive if he were strictly examined he would discover upon what inducements hee has acted soe treacherously. I yeilded to his importunity and let him goe to Boston in ye winter, hee promissing a speedy returne, hearing nothing from him in ye spring when I expected him to attend that work, I wrote to him to meet me at ye Palatine settlements, which by a letter he refused pretending want of sufficient encouragement. I wrote to him againe with possitive orders to repaire thither, as hee was directed by H.M. speciall letters, told him that I had apply'd to your Lordpps. for an additionall sallary for him and putt him in mind that hee had never beene refused money when he called for it, but all to ye same purpose. I protest to yr. Lordpps. whilst hee attended that work hee lived as I did, and to my knowledge hee did not expend ye value of a crowne, and had severall summes of money to ye value of about £30 from me dureing that time. I have had by this pacquett a letter from Mr. Lownds directing me to enquire into some abuses of his with relation to ye Queen's woods. I have not had time to make a perticular enquirey and have only heard in generall that instead of preserveing hee has waisted them by giveing deputations to such as have saw mills, for certain yearly summes of money paid him by them, by which meanes all ye valluable timber in these parts is destroyed. That your Lordpps. may informe yrselves. whether wee be in ye right in ye pursuite of this manufacture, I'll give you an account of Mr. Sackett's method of prepareing ye trees ; in the spring when the sapp is up, hee barks ye north quarter of ye circumference about two foot in length where ye sun has least force to draw out the turpentine. In the fall, before ye sap falls downe, hee barks ye south quarter about 2ft. 4in. ; next spring the east quarter for ye former reason, about 2ft. 8in., and in that fall the remaineing quarter near 3ft. After which the part above what is barked being full of turpentine is cutt downe splitt and putt into kills for tarre. That no hands may be idle we employed the boys and girls in gathering knotts whilst their fathers were a barking, out of which hee has made about threescore barrells of good tarr, and hath kills ready to sett on fire for about as much more soe soone as hee getts casks ready to receive it. Now my Lords tho' I have mett with discouragements unspeakable, yet concludeing it impossible that ye wisdom of H.M. Councils should lett drop so beneficiall a project, and so considerable a branch of trade, when it is in soe hopefull a way, I have launch't out all ye money and credit I could raise in ye pursuite of it, tho' I have as yet noe returnes to my first bills

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I have drawne on my Lord Treasurer for about halfe a years subsistance for that people ending June 24th last according to ye inclosed scheme, which I beg your Lordpps. to second with your recommendations. I have made the best bridge in all North America over the river betweene the pine woods and their settlements, have laid in timber and all other matterials for building the store-house upon the place, and am about the purchase of a convenient house without ye gates of New York on ye harbour for a generall storehouse. Least I should tire your Lordpps. I shall referr you to my next for more perticular accounts of this and all other matters. I shall only beg leave to acquaint your Lordpps. a little with the deportment of one Mr. Birchfeild who came over here Surveyor Generall of ye Customes much abt. the time I did. I acquainted ye Commissioners of H.M. Customes, how hee had without cause turned out ye most sufficient gentleman in ye province of Jersey's of ye Collector's place of Amboy there; and putt in his roome ye most insufficient and infamous person in either province, hee has since that time so persecuted ye Collector here Mr. Byerley, without any aparent cause, and at last suspended him without acquainting me with his reasons, tho' I had told him before hee was a patent officer, and that as such I considered hee had noe power of suspending him, that I verilly beleive hee has some secret reasons for his conduct which hee will not owne. When I urg'd H.M. patent to him, hee replyed she had noe power to grant such a patent, which indeed stop't my mouth, thinking after that all replyes were needless. Since that time I have received H.M. letter commanding me to allow to Mr. Byerley his sallary dureing ye time of his illegall suspension (as it is there) called by the then Lord Cornbury, and to dissallow to Mr. Faukonier who executed that office for that time by his Lordpp's. commission, the sallary hee has in his accounts made good to himsele for that service; which I think will sufficiently justifie Mr. Byerley in refuseing his suspension as to his patent. I can guess noe other reason for his conduct, but that hee had a mind to pack a sett of officers for a purpose very frequent in his mouth that hee was sent hither to make his fortune; hee is now gone for England, and Mr. Byerley has acquainted the Lord Treasurer and Commissioners of ye Customes very perticularly with everything relateing to this affaire. *P.S.* I have not had time to gett a copie of my Interview wt. the Indians before I recd. Mr. Sec. St. John's letters, but I have inclos'd to him that I had, to which I beg leave to referr you. Your Lordps. will also receive herewith the body of Laws of New York from 1691, as you are pleased to order. *Signed, Ro. Hunter. Endorsed, Recd. 22nd, Read 31st Oct., 1711. 11 pp. Enclosed,*

95. i. Account of subsistance of Palatines at New York,*
Nov. 2, 1710—June 24, 1711, at 6d. per diem adults,
4d. per diem young. *Total, £10,243 19s. 8d. Endorsed,*
Recd. Oct. 22, 1711. 2 pp.
95. ii. Propositions of the Five Nations and River Indians
to Governor Hunter in Albany, Aug. 17–18, 1711,
relating to the Expedition against Quebec. Indians

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bring between 7 and 800 warriors for the Expedition, and receive presents *etc.* *Set out*, N.Y. Docs. V. pp. 265-277. *Endorsed*, Recd. Nov. 3, 1711. 23 pp. [*C.O.* 5, 1050. Nos. 27, 27 i., ii. ; and (*without enclosures*) 5, 1122. pp. 428-440.]

Sept. 12.
New York.

96. Governor Hunter to [? *Mr. Secretary St. John*]. On June 14th last I had ye honour not without a great deale of pleasure of yours of Feb. 6th and 21st with H.M. Instructions and commands relateing to ye Expedition agt. H.M. enemys in these parts, by an express from ye Lt. Genll. Nicholson who was but just then arrived at Boston with ye two men of warr and transports destin'd for this place. The express reacht me 100 miles up in Hudson's River upon my return from an interveiw with the Five Indian Cantons (*v. No.* 95 ii.). I hope it will not be tedious to you to read ye occasion of this interview, for I have ever since look't upon it as a favourable presage of success. It was briefly thus ; Being inform'd that Joncoeur and Longeuil, two French officers and agents, were then in the Seneca's country, the most remote and powerfull of all our savage allies, that they had already built a block-house in their cheife place of residence, and had projected a fort there, I sent Col. Schuyler with some other men of interest with the Indians to require ye performance of their former promisses and engagements, that the blockhouse should be forthwith pulled downe, the French dismist, and their promise that for ye future they would receive noe more such upon such errands, all which they performed tho' with some difficulty, and desired in company with the cheife of the other four cantons to meet me at Albany, where accordingly I met them. They renewed their covenant, promiss'd punctuall obedience to all H.M. commands, and at my desire broke off the designe of a warr they had meditated agt. some of the farr Indian Nations, promising not to stir from home without leave. Upon receipt of ye express, I dispatch't another back to Albany with orders to detaine 10 Sachims of each Canton till further orders. At New York I gave all necessary orders for bread and other provisions, ordered the *Feversham* to Virginia and Maryland for pork, this country affording none, and then went to New London in Connecticut to concert matters with the Councill of Warr constituted by H.M. for that purpose. *Refers to enclosure.* I dispatcht Col. Schuyler from New London with orders to ye Sachims above-mentioned to bring downe imediatley all their fighting men with their arms and canoes to Albany. Being return'd to New York, I had ye Assembly of ye two provinces to manage, provisions to secure for the forces by sea and land, and Indians, and batteaus to build for their transportation. Time begun to press, for at New London wee had news of ye arrivall of ye whole fleet. What past in ye two Assemblys, which met ye one at New York ye 2nd of July, the other at Perth Amboy the sixth, the Journals of Councils and Assemblys of both provinces will amply informe you. The Assembly of New York raised £10,000 for that use, and their quota of men being 600 : tho' they grumbled

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much at ye proportion, which however is warranted by H.M. Generall Instructions, yet they resolved to raise them in this manner, 350 Christians, 150 Long Island Indians and 100 Palatines, which they desired of me, on ye Province's account. All which were raised except the Indians, of which number I cold find but 50, all ye rest by ye artifices of those who call themselves their masters being retir'd to their lurking holes in ye woods. I found meanes howe'r to find about 40 more from Connecticut. These sea-coast Indians being of great use for managing batteaus and canoes and all other hard labour. The Assembly of ye Jerseys raised 5000 for this service to be disposed on by me ; as the Minutes will inform you. I imployed all hands and arts for levy's there ; and with some difficulty found at last neare upon 200 volunteers. In short before ye end of ye month, I had ye troops levy'd, clothed, accoutred and victualled and upon their march for Albany, had ready made 330 batteaus, capable of carrying each 6 men with their provisions, and had sent round to Boston a sufficient quantity of bread, and a very considerable stock of other provisions, the pork from Virginia not being then arrived, and on ye 9th of August went in company with Lt. Generall Nicholson to Albany. I have imployed 300 Palatines in this service, 100 upon the account of this province, about 100 more to compleat the regular troops to their establishment being much weakened by a number of invalids in pay, none of that kind haveing ever beene taken off their hands or disposed of into hospitalls since their first establishment. The rest if the Jersey money does not hold out, must fall to H.M. share. I was troubled to find noe news of our Indians at Albany. Wee made however our other troops ffyle off as they came upp. They arrived at last, on Aug. 24th, a jolly crew, about 800 men in number, very likely men, with all marks of a hearty disposition for the service, as you will better understand by ye Minutes of my proceedings with them, and on Aug. 30th they followed ye troops. These forces consist of Col. Ingoldesby's Regiment form'd out of ye regular troops compleated by ye Palatines and joined by the Jersey forces=600 ; Col. Schuyler's Regiment consisting of ye troops raised in this province, Long Island, Indians and Palatines=550 ; Col. Whiteing's Regiment composed of ye Connecticut levys=360 ; and ye Five Nations with their allies=800. Upon my arrivall at New York on Sept. 1st, I received advice by a letter of Admirall Walker's that ye Fleet which had sailed July 28th was upon Aug. 14th in the mouth of St. Laurence River in good condition and with a faire wind. The Admirall presses much the sending after him more provisions for feare of being obliged to winter there. I have now in this port the *Feversham* with transports haveing on board a thousand and odd barrills of pork, and as much bread, flower, butter, pease, rum and tobacco as they can carry, which are to saile for Quebeck the first wind that offerrs, which I hope will make all easey. This, Sir, is ye present state of this glorious enterprize, which God prosper, hitherto it has a good aspect, and if there is any credit to be given to ye report of three French

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officers whom I have detained prisoners, they comeing under ye mask of Flaggs of Truce (a pernicious custome in these parts) but really to spye, they are not there well provided for such an attempt. I beleive the Queene has not a subject with a heart warmer for her glory and interest than mine. Pardon me this vanity since it is all I have to boast of, but you doe me but bare justice to beleive that the concerne you have in this affaire with that of a freind whom I have esteemed with more than a common affection ever since I have known him, and who is now at ye head of it, wou'd have beene sufficient to determine me to vote all ye endeavours of my life to it's success. I must begg your patience whilst I give you an account of an accident which fell out here, and noe doubt but will be improved to my prejudice, by those who have all along struck at H.M. interest thro' my sides. The *Feversham* being almost unmann'd by the death, desertion and sickness of her crew, and the only ship of warr then with us, when I had resolved to send her to Virginia for ye provision for ye forces, I consulted some of the Councill about an expedient for manning her, being pinioned by the Act against pressing. They advised to send for all ye masters of ships and sloops embargo'd here, and to borrow some men of each in proportion to ye numbers of their respective crews upon promise to restore them upon the returne of ye *Feversham*, which would be an aparent advantage to them in saving their provisions, dureing the embargoe, which accordingly I did, and all of them readilly complied, except one Foy the supercargoe of a brigantine just come in from Bristoll, who used me with that insolence, that the gentlemen present were ashamed of my patience, the other masters gave in the names of such money (*sic—? men*) as they cold spare. I sent my owne boat on board of them with an officer to receive the men accordingly, hee returned and told me that all that Bristoll ship's crew were desireous to goe; I sent him back with his former orders for one halfe only as it was agreed on, by the time he gott to ye shipps side, this supercargoe was got on board, and ye whole crew fell upon ye officer and soldiers with handspikes, tho' ye officer called to them frequently to take care what they did, that hee came by order of the Government and to doe harme to noe man, but one of ye soldiers being knock't downe, shott one of ye crew who dyed next day. I sent for the crew on shoare and examined them, they declared all that ye man who was shott had beene soe drunk and troublesome, that they had beene obliged to bind him till the boatswain who they blamed most untied him on purpose for that tumult. Which boatswain immediatley after run away. The Coroner's inquest found that John Moore a soldier had killed that man. Upon which I made him prisoner. Some time after the Grand Jury of this City presented and found guilty of murder the said John Moore and Capt. Riggs upon the evidence of that supercargoe and some others of his crew, not haveing thought fitt to call for any other. The Capt. was gone upon ye Expedition, the soldier I delivered over into ye hands of ye Civill magistrate in order for his tryall. This Sir is a true account of that affaire. The whole

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Expedition depended upon the saileing of that ship. She was unmann'd partly by the evill practices of ye Country who have not only encouraged such desertion, but protected nay rescued the deserters when legalley secured and in custody of ye constables, and when I had ordered a prosecution of such riotts noe Jury would find for ye Queene tho' upon unquestionable evidence, and ye Queen's evidence were abused and ill treated by ye people upon this occasion. I have wearyed my Lord Dartmouth and ye Lords of Trade with the greivances of this Government. My sufferings are of small account, but I'll venture once more to affirme that without speedy and effectuall remedy H.M. can make noe State of any Government in this place, and in a little time, the disease may prove too strong for ye cure. You are pleas'd to lay your commands upon me to take into my thoughts the whole state of the Brittish interest in these parts. I am highly sensible of ye honour you doe me, and at the same time of my want of capacity to think much to the purpose on soe great a subject, which indeed deserves and requires the thoughts of ye greatest Councill in the Realme. That it is in a bad state, the frequent tumults in all parts, and ye generall aversion to the support of Government in most, are sufficient indications. What you are pleas'd to hint of putting all North America under one uniforme plan of Government, would most certainly be a sure remedy, but I am afraid it is too lingering a one for the present exigency. The purchaseing proprieties and takeing away of usurpations being a work of time and trouble. The propriety Governments which were modell'd according to the humours of their respective proprietors, consist of ye Governor and ye Representatives, the Councill in most being a meer cypher, haveing noe share of the Legislature. By which meanes the Governours depending upon the good will of the people for their daily bread have beene obliged to make such concessions and past them into Laws, that if these Governments be purchased and continued upon ye foot they now stand H.M. pays deare for much trouble and noe dominion. This is ye plan of Government however they all aime at and make noe scruple to owne it. The Legislature of ye Governments immediatly under H.M., is in the Governor, Councill and Assembly by H.M. gracious concession, for the time was when in this very province, the Governor and Councill were the sole Legislature, but the Assembly's claimeing all ye previledges of a house of Commons and stretching them even beyond what they were ever imagined to be there, should the Councill by ye same rule lay claime to ye rights and priviledges of a house of Peers here is a body politiek coordinate with (claimeing equall powers) and consequently independant of the Great Councill of the Realme. A greater assertor of Liberty, one at least that understood it better than any of them, has said, that as Nationall or Independant Empire is to be exercised by them that have ye proper ballance of Dominion in the Nation, soe Provinciaall or Dependant Empire is not to be exercised by them that have the ballance of dominion in the province, because that would bring the Government from provinciaall and dependant

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to Nationall and Independant. Which is a reflection that deserves some consideration for the sake of another from ye same person to wit, That ye Colonies were infants, sucking their mother's breasts, but such as if he was not mistaken, would weane themselves when they came of age. Upon the whole I humbly submitt it, if it may not be adviseable at this time, untill a proper remedy be applyed, that H.M. by her royall letters (for what a Governor says passes for nothing) put them in mind that all such priviledges as they claime as bodys politick, they hold of her especiall grace and noe longer then they shall use them for her interest and the support of her Government. This which most assuredly will be of noe force toward the settling of a revenue here, yet may be of use to keep them within bounds in other matters. I wish it were in my power to doe for Mr. Harison as he deserves and I cold wish. There is one imployment which is imediatley in your owne that is ye Secretaries place of the Jersies. Mr. Bass ye present Secretary being soe obnoxious a man, and indeed infamous, that I cannot beleive H.M. will be induced to continue him there after the representations I have made against him. There is another, since Mr. Kiel has given over thoughts of returneing hither, which is Surveyor Generall of the Customes in these parts. Mr. Birchfeild who is possessed of that place being gone for England, and haveing demeaned himselfe in such a manner whilst here that I can hardly be perswaded the Commissioners of ye Customes will send him back hither againe. Hee is very capable of executeing either of these imployments to ye satisfaction of all concerned, and it will be noe small pleasure to me to have him soe provided. I humbly ask pardon for this long tedious epistle, and am afraid I shall be under an obligation to trouble you with more. In the meantime I begg your recommendation to my Lord Treasurer for my bills, and your assistance towards a remedy for my pressures here, etc. *Signed*, Ro. Hunter. 11 pp. [C.O. 5, 1084. No. 48.]

Sept. 12. **97.** Governor Hunter to Lord Dartmouth. *Refers to and*
New York. *repeats parts of preceding. Signed*, Ro. Hunter. 1½ pp.
Enclosed,

- 97. i. Duplicate of No. 96.
- 97. ii. Extract from same.
- 97. iii. Copy of the proceedings of the Congress at New London, June 21, 22, 1711. 8 pp.
- 97. iv. Copy of Col. Schuyler's Journal of his journey to Onondage, May 2, 1711, etc.
- 97. v. Copy No. 95 ii.
- 97. vi. Copy of Minutes of a Council of War held at Albany, Aug. 23—28th, 1711. 7 pp.
- 97. vii. Copy of Journal of the General Assembly of New Jersey, July 6—16th, 1711. *Printed*. 5 pp.
- 97. viii. Copy of Journal of General Assembly of New York, July 2—Aug. 4, 1711. 12 pp.
- 97. ix. Copy of Minutes of Council of New Jersey, July 6—16, 1711. 8 pp.

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97. x. Copy of Minutes of Council of New York, June 16—
Sept. 3, 1711. 38 pp.

97. xi. Duplicate of No. 95, without postscript.

97. xii. Duplicate of covering letter *supra*. [C.O. 5, 1091.
Nos. 43—57.]

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On board the
Leopard
man of war
in the
Spanish River.

98. George Lee to [? *Mr. Fox*]. Since my last letters to your Honour by the *Humber* and *Devonshire* from Cape Brittoon, our fleet in going up the River of Canada has met with a most fatal accident : whether it be ignorance or carelessness in our Admiral, or by what meanes I know not : the fleet in a fresh gale the 21st Aug. about 12 at night run ashoar on the North side of the River at a place called Egg Iseland : by God's great providence but 9 ships are lost of the whole 75 ships, but no man of war is lost ; the forces on board the ships cast away are computed to be about 1500 men officers and soldiers, of which number about 200 were found alive on shoar ; the regiments that suffer'd most were Col. Seymour's and Col. Windreil's. The ship I was in with the Rhoad Island men under my command was in the midst of the breaches among the Red : but Providence has sav'd us. The next day the Admiral order'd a man of war to find a harbor and to bring off if possible all that were alive on the shoar, which has been effected : 8 or 10 vessells besides ours lost the Fleet. The next night not seeing any signal made by the Admiral who bore away for this River, we turn'd up believing he was sayl'd for Canada notwithstanding the loss : but the winds being against us, forced us to the same place where the ships suffer'd and the *Leopard* lay to take up the men : we came to anchor and went ashoar, where to our surprize we heard the Fleet was come this way and the Expedition broke, such a dismall spectacle was never seen, nine ships tore to pieces, and the bodies of 12 or 13 hundred brave men with women and children lying in heapes on the shoar : we stay'd with the *Leopard* three days and then sayl'd hither about 150 leagues ; we met with two violent stormes in our passage hither, and sprung a leake, but I bless God we came in safe : here we find the Admiral sending home the New England vessells, and going home with the fleet : this *Leopard* carries the express with this ill news : our expedition is over, a garrison is going to relieve the men at Port Royall, and the officers that are upon that establishment are order'd thither, of which number I am : I have commanded as Lieut. Colonel the Rhoad Island forces, and notwithstanding the many vacancies I have not interest enough to get a Capt.'s commission, being wholly a stranger to General Hill, who has an extraordinary good charracter ; he thinks it so unreasonable that I should go to Port Royall a Lieut. and be commanded there by those whom I have these two years commanded as Major and Lieut. Colonell, that he has granted me a furlow for 9 months to go home, and if possible to get a captain's Commission ; he has order'd me to sayle to Rhoad Island with my 200 men and deliver them to the Government I have serv'd : I designe God willing to do so, and hope to see my good friend Genll. Nicholson, whose advice I shall allwayes

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begg and take ; we are in very great paine for that good man, who is marcht to attack Canada by land, and fear that upon this miscarriage of ours he will be overpower'd and cut off by the French and Indians : I designe to stay six months at Boston to receive your Honour's commands, *etc.* My humble duty to Lady Fox and all your family. *Signed, George Lee. Copy. 2 pp.* [C.O. 5, 9. No. 15.]

Sept. 13.

99. Wm. Popple to the Secretaries of the Treasury. *In reply to Aug. 31st.* The Council of Trade command me to acquaint you, that notwithstanding all the Governors in America have Instructions to take care that fair books of accounts of all receipts and payments of publick mony be duly kept, and the truth thereof tested upon oath, and that authentick copies of the same be transmitted half yearly to the Lord High Treasurer and to the Commissioners of Trade and Plantations, and notwithstanding their Lordships have frequently writ to remind the Governors of the said Instructions, and to demand such accounts, they have not received any from the Governments on the Continent (and only some few from Jamaica) and therefore their Lordships are not able to inform my Lord High Treasurer whether there be any mony of H.M. Reveaues in that country, that may be applied in ease of the expence of the garrison of Annopolis. But they presume that Mr. Blathwayt, who is auditor and surveyor of the Revenue arrising in the Plantations may be able to lay a state of this matter before my Lord High Treasurer. [C.O. 218, 1. pp. 18—20 ; and 5, 913. pp. 346, 347.]

Sept. 17.
Windsor.

100. Order of Queen in Council. Referring enclosed petition to the Council of Trade and Plantations, who are to report upon the premises, and to make a strict enquiry, how the money appropriated by the Assembly to the use of the two sloops has been applied, *etc.* *Signed, John Povey. Endorsed, Recd. Sept. 25th, Read Oct. 23rd, 1711. 1½ pp. Enclosed,*

100. i. Petition of Thomas Simson, of Port Royal, and — Gandy, widow and administratrix of Charles Gandy, of Jamaica, to the Queen. The General Assembly in March last passed an Act for raising £5000 for the fitting out two sloops to cruize about the Island for security of the Island against privateers. Thomas Simson, Thos. Finch and the late Charles Gandy, being all of the Assembly, were appointed Commrs. and authorized to fitt out the said sloops, and Charles Chaplain, H.M. Collector, was ordered to pay the said £5000 to them for that purpose. The Commissioners agreed for the hire of the said two sloops, but could not procure sailors to mann them, tho' there were near 3000 registred seamen about a year before who had all deserted. Simson and the other Commrs. in the next Assembly laid before them an account of their proceedings, as directed by the Act, but to Simson's great sur-

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prize Charles Chaplain, H.M. Collector, produces to the Assembly receipts of Finches, one of the Commrs., to the value of £3800, pretended to be paid him in pursuance of the said Act, without Simson and Gandy, the other Commrs'. authority or priority. Finch absconding, and Charles Gandy being lately dead, the bond executed to your Majesty by Simson, Gandy and Finch in the penalty of 5000*l.* for a due application of the publick money, was putt in suit against Simson and Gandy, who were obliged to pay or secure to be paid the said £3800. Petitioners are credibly informed that Finch never received the said £3800 of Chaplin upon accot. of the said Act, tho' he had given receipts purporting the same, but that Finch was indebted to Chaplin in the like sum upon some former account, which they contrived to discharge this way. This is a manifest fraud and deceit in Chaplin, to prosecute petitioners in your Majesty's name, when he hath still the publick money in his own hands, and not one penny issued but applyed by himself to discharge a private demand, betwixt Finch and himself, wch. your petitioner's bond had no relation to. *Pray for relief, etc. Copy. 3 pp.* [C.O. 137, 9. Nos. 46, 46 i.; and 138, 13. pp. 356—360.]

Sept. 18. **101.** J.S. to the Earl of Dartmouth. Remarks upon the present state of Maryland without a Governor from persons' letters of undoubted credit *etc.*, by J.S. *Addressed. Postmarks. 1 p. Enclosed,*

101. i. Copy of trial of Thomas Macnemara and John Mitchell for the murder of John Graham (*v. infra.*), July—Oct. 14, 1710. Verdict of "homicide by chance medley." Macnemara, pleading benefit of clergy as a clerk, is branded in the left hand with the letter M.; Mitchell is pardoned. 8 *pp.*

101. ii. Extracts from letters from Maryland concerning above. (a) Maryland, Aug. 13, 1710. Macknemarra of Annapolis has killed a master of a sloop and has had ye honour to be in irons these 4 or 5 months, and his cousin Rudman; if there had been justice done him he should have been hang'd; the manner, I suppose he was employ'd as a lawyer to gett a small quantity of money of one Graham (a Philadelphia mercht.) and knowing him to be a stout fellow borrowes a pair of pistolls of Garrett. It was such a pedling buisness the Sheriff would have no hand in it, so he gets Garrett's boat away for ye sloop which lay in ye Bay without an order from ye Sheriff, so boarding ye sloop, Graham cry'd, Do ye come friends or enemies? Cried they, Friends. Then you are welcom, said Graham. With that said Macknemarra, You are my prisoner. I'll carry you ashoar

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with me. With that Graham gets hold of him to toss him overboard; in ye scuffle Macknemarra shoots Graham under ye armpitt with a brace of balls. Graham with falling breaks his arm and all ye time Macknemarra laying him on with ye cock of ye pistoll till he fractur'd his skull in severall places. Graham cryed, you have murder'd me. Then being in that weak condition he gets him ashore to his own house, and sends for Dr. Moor and some others, but all in vain, he dy'd ye next morning. Macknemarra and Rudman were immediatly clapt into irons and try'd, but to no purpose, it was brought in chance medly, tho' it was wilfull murder. If they had been honest fellows they had been both hang'd presently. This Country does no justice in ye world it quite stinks for want of a Governour to sett them to rights. They threaten to pull down all ye prisons if they putt anybody in prison for protested bills. People runn away daily with 2 or 3 families at a time in sloops with negroes and all to North Carolina. (b) Maryland, Arpil 4, 1711. I am sorry we have not a Governour with us to putt some life and courage into a drooping people. The villain Macknemarra privately gott away from hence to Virginia, and from thence in a small scotch vessell for Scotland. You will probably see or hear of him in London amongst the merchts., and perhaps he will endeavour to be acquainted with ye Governour; wherefore take a true relation of his villanies and barbarities. *Describes murder as in preceding.* He was arraign'd for murder, but ye Roman Catholicks all his bosom friends pack't a jury for ye purpose, who found it manslaughter only, for which he was burnt in ye hand. He staid with us till Dec. last in which month contrary to ye order of nature, he bugger'd Wm. Taylard's little boy, who made his own complaint, whereupon a warrant was issu'd out against him. He absconded for a few dayes, and afterwards went off incognito. Mr. C. a noted Roman Catholick was much his friend in having him acquitted of ye murther. 3 pp. [C.O. 5, 720. Nos. 8, 8 i., ii.].

[Sept. 20.]

102. (a.) List of inhabitants of Nevis and St. Kitts with the amount of their losses by the late invasion proved by the Commission, submitted by Stephen Duport, who appears as their attorney to receive the debentures granted them by Parliament. 4 pp.

(b.) Form of a Certificate that the above remained after the invasion and that they or their agents are resettling their plantations, and that their shares of the bounty have not been bought or sold by way of stock jobbing, etc. *The whole endorsed,* Recd. Read Sept. 20, 1711. 1½ pp. [C.O. 152, 9. Nos. 78, 79.]

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[Sept. 20.] **103.** Draught of a debenture to be issued to the sufferers of Nevis and St. Kitts. *Endorsed*, Sept. 20, 1711. *Printed*. 1 p. [C.O. 152, 9. No. 80 ; and 153, 11. p. 372.]
- Sept. 20.
Whitehall. **104.** Mr. Popple to Mr. Attorney and Mr. Solicitor General. Application having been made to the Council of Trade and Plantations by several persons here in behalf of the sufferers of Nevis and St. Christophers, that debentures may be issued to them, pursuant to an Act past the last Sessions of Parliament, their Lordships are desirous to speak with you thereupon, *etc.* [C.O. 153, 11. p. 371.]
- [Sept. 20.] **105.** H.M. Instructions to Governor Parke for granting lands in the French part of St. Xtophers. Nov. 30, 1705. *q.v.*
A return of the same is to be made to the Ld. High Treasurer, and grants by the Governor are not to be for a longer period than $2\frac{1}{2}$ years, *etc.* St. James, Nov. 30, 1705. *Countersigned*, Godolphin. *Endorsed*, Recd. 19th, Read 20th, 1711. $2\frac{1}{2}$ pp. [C.O. 152, 9. No. 81.]
- [Sept. 20.] **106.** H.M. Confirmation of Mrs. Elizabeth Bowden's grant of *plantation* lands in St. Kitts. Aug. 14, 1707. *Countersigned*, Godolphin. $2\frac{1}{4}$ pp. [C.O. 152, 9. No. 82.]
- Sept. 22. **107.** The Attorney and Solicitor General to the Council of Trade and Plantations. Reply to Sept. 20. We will attend yr. Lordps. on Thursday, *etc.* *Signed*, Ed. Northey, Rob. Raymond. *Endorsed*, Recd. 22nd, Read 25th Sept., 1711. *Addressed*. $\frac{3}{4}$ p. [C.O. 152, 9. No. 83.]
- Sept. 22.
Whitehall. **108.** Earl of Dartmouth to the Council of Trade and Plantations. Mr. Hugh Totterdell of Jamaica being very well recommended to H.M. to be one of Her Council in that Island, I desire to know whether you have any objection, *etc.* *Signed*, Dartmouth. *Endorsed*, Recd. Oct. 30th, Read Nov. 1st, 1711. 1 p. [C.O. 137, 9. No. 49 ; and 138, 13. p. 374.]
- Sept. 25.
Whitehall. **109.** Mr. Popple to the Secretaries of the Treasury. The Council of Trade and Plantations recommend H.M. confirmation of the grant of land in St. Kitts to Lt. Governor Lambert, as proposed by Mr. Blathwayt (*v.* Aug. 15), "provided there be a reservation of the usual quit-rents, as their Lordships find it reserved in a grant of the like nature to Mrs. Bowden, Aug. 14, 1707, but omitted in the above grant from Col. Parke to Col. Lambert." [C.O. 153, 11. pp. 374, 375.]
- Sept. 25.
Whitehall. **110.** The Earl of Dartmouth to the Council of Trade and Plantations. Captain Teate, H.M.S. *Reserve*, having brought five persons from Virginia, by order of the Lt. Governor, who setts forth in the warrant he has signed for taking them into custody, that they had raised a rebellion against the established Government of North Carolina, and failing in their attempts, were fled

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from justice ; I am to desire you will be pleased to communicate to me what accounts you have received of this matter, particularly in relation to the evidence produced against them. *Signed*, Dartmouth. *Endorsed*, Recd. Read 26th Sept., 1711. 1 p. [*C.O.* 5, 1316. No. 68 ; and 5, 1363. pp. 331, 332.]

Sept. 26.
Whitehall.

111. Council of Trade and Plantations to the Earl of Dartmouth. In reply to preceding enclose extracts from Lt. Governor Spotswood's letter *etc.*, July 25th. We have recd. no affidavits or other proofs, nor is there any mention in his letter to us of any persons being sent over hither. [*C.O.* 5, 1363. pp. 331, 332 ; and (rough draft) 5, 1335. p. 130.]

Sept. 27.

112. Mr. Attorney and Mr. Solicitor General to the Council of Trade and Plantations. Having received yr. Lordps. commands to deferr our coming to the Board, (v. Sept. 22), wee will attend on Thursday, *etc.* *Signed*, Edw. Northey, Rob. Raymond. *Endorsed*, Recd. Read Sept. 28, 1711. $\frac{3}{4}$ p. [*C.O.* 152, 9. No. 84.]

[Sept. 28.]

113. Petition of Alexander Skeene, Secretary of Barbados, to the Queen. Prays to be appointed to the Council, there being now a vacancy by the death of George Lillington. 1 p. *Overleaf*,

113. i. The Council of Trade and Plantations are to report their opinion on this petition, *etc.* *Signed*, Dartmouth. Whitehall, Sept. 28, 1711. *The whole endorsed*, Recd. Sept. 29, Read Oct. 11, 1711. $1\frac{1}{4}$ pp. [*C.O.* 28, 13. Nos. 64, 64 i. ; and 29, 12. p. 368.]

Sept. 29.

114. Petty Expences of the Board of Trade, postage, stationery, *etc.* 6 pp. [*C.O.* 388, 76. Nos. 122—124.]

Oct. 1.
London.

115. James Blake to Mr. Secretary St. John. *Replies* to the complaints of several Colonels of regiments now employed in the expedition under General Hill relating to the cloathing and accouterments furnished by him. I was not acquainted to what place the expedition was designed, *etc.* I was directed to supply for the militia and H.M. forces, *etc.* The sergants surtout coates were made of the best Glocestershire cloaths, and 1396 of the centinells' coates, the rest of the centinells with whole thick kerseys, which are as dear as cloath, but allowed by everybody to wear much longer, and is what all the foreigners cloath withall. As to their not being lined H.M. saved largely thereby in what was given the militia. The breeches, hatts *etc.* were as good or better then is used by the Army. Mr. Nettmaker the Commissary was very nice in his inspection and returned great quantityes that did not come up fully to the pattern, though these were accepted by some of the regiments now upon the expedition. The complaints began at Portsmouth, altho' none of the cloathing was seen, and by that means the goods were tossed from vessell to vessell much to their damage, and several of them left behind *etc.* *Signed*, J. W. Blake. $1\frac{1}{2}$ pp. *Enclosed*,

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115. i. Certificate by Richard Hallam, Packer, corroborating preceding. London, Oct. 1, 1711. *Signed*, Richd. Hallam. 1 p. [C.O. 42, 13. Nos. 9, 10, (and *duplicates*) 10 (i.), 11, 11 i.]

Oct. 3.

116. Presents made to the Chief Sachems of the Five Nations of the Iroquois Indians by Lt. Gen. Nicholson at the House of the honble. Col. Peter Schuyler in Albany, Oct. 3, 1711. One Queen Anne's guinea in memory of H.M. One of ye Oxford Almanack's with ye cutt made upon their late sending the four ambassadors for England, shewing H.M. tender regard for them. One kane with an amber head in memory of himselfe and in token that as ye said head when warme is of an attractive power, so his and their loves should be warme and attractive to draw each to other. One multiplying glass to represent to them ye fraud of the French in making a few things seem to be many. One pair of pocket brass musquetoons and one long gun to shew the French how well they are armed. And two barrills of bear to drink the Queen's health, all wch. they thankfully recd. and replied, Brother Anndegariax, we thank you and promise to keep your presents in ye Onondage Castle *etc.* You have shewn our belts of wampum formerly given you and desired that as you have kept them so we keep these things, which we promise to do, and that you shall see them whenever we have the honour of your company that way *etc.* *Signed*, P. Schuyler, Laurens Clase, Interpreter. 2 pp. [C.O. 5, 9. No. 68.]

Oct. 5.
Treasury
Chambers.

117. Mr. Harley to Mr. Popple. Encloses following for the opinion of the Council of Trade and Plantations thereon by Tuesday morning, *Signed*, T. Harley. *Endorsed*, Recd. 6th, Read 11th Oct., 1711. 1 p. *Enclosed*,

117. i. Petition of London merchants trading to Virginia and Maryland to Robert, Earl of Oxford, Lord High Treasurer. *Protest* against a new order of the Customs forbidding the passing of any entries of tobacco inwards until the bonds were discharged, for which the merchants have always hitherto been allowed a full eighteen months law, *etc.* *Copy*. 2 $\frac{3}{4}$ pp. [C.O. 5, 1316. Nos. 69, 69 i.; and 5, 1363. pp. 332—339.]

Oct. 11.

118. Mr. Perry to Mr. Popple. *Encloses following*. The Trade have agreed to be at Whitehall on fryday morning, the Queen is at a vast charge and so is the merchants : and time goes off hand : and the fame of this dispute (v. Oct. 5) runs to Virga. altogether is a publique evile. *Signed*, Micajah Perry. *Endorsed*, Recd. 10th, Read 11th Oct., 1711. *Addressed*. *Postmark*. $\frac{1}{4}$ p. *Enclosed*,

118. i. Mr. Bayley to Mr. Perry. List of Acts laying duties upon tobacco. *Signed*, Arthur Bayley. *Addressed*. 1 p. [C.O. 5, 1316. Nos. 70, 70 i.; and (without enclosure) 5, 1363. p. 340.]

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Oct. 11.
Whitehal.

119. Mr. Popple to the Secretaries of the Treasury. *Reply to Oct. 5.* The Council of Trade and Plantations do find by an Act pass'd II and III Anne, that the time for the exportation of tobacco *etc.* is enlarged to 18 months ; but they do not find that the several times for the payment of the duties are altered ; however in regard of the low state of the Tobacco trade, and that the merchants in case they do not export their tobacco in the time limited do pay interest from the time the Customs are due, their Lordships are of opinion that if the merchants are indulg'd, as they affirm has been used, so far as to have an opportunity to clear their bonds by debentures, it will at this time not only be a great ease to them, but an encouragement to the Virginia and Maryland trade which, as above limited, is at present in a low condition, and that the not permitting the merchants who are already in bonds to H.M. to make entries of their tobacco upon good and sufficient security till their former bonds be discharged, may prove a discouragement to that Trade, and in all probability will produce those ill consequences set forth by the merchants in their said Memorial, *etc.* [C.O. 5, 1363. pp. 340—342 ; and (rough draft) 5, 1335. pp. 134—136.]

Oct. 15.
Virginia.

120. Lt. Governor Spotswood to the Council of Trade and Plantations. After what I writt July 28th of the success of my endeavours in quietting the commotions in North Carolina, I was in hopes I should not have had occasion to trouble your Lordships again with the affairs of that unhappy country ; but a more dismall and unexpected accident happening there lately, I think it my duty to give your Lordps. the following account of it, together with my proceedings thereupon. On the 22nd of the last month some towns of the Tuscaruro Indians and other Nations bordering on Carolina made an incursion upon the head of Neuse and Pam[plico] Rivers in that Province, without any previous declaration of war or show of discontent, and having divided themselves into partys, at sunrise (which was their signal) begun a barbarous massacre on the inhabitants of the frontier plantations, killing without distinction of age or sex about 60 English and upwards of that number of Swiss and Palatines, besides a great many left dangerously wounded. The Baron de Graffenried, Cheif of the Swiss and Palatine settlement there, is also fallen into their hands, and carryed away prisoner ; since which [*they*] have continued their ravages, in burning those plantations, and others deserted by the inhabitants for fear of the like crueltys. The Governor, Mr. Hyde, has raised what men he can to oppose the further invasion of the heathen, and protect the rest of the country ; but that spirit of disobedience, to which they have been long accustomed, still prevails so much, that he can hardly perswade them to unite for their common safety. I will not affirm that the invitation given those savages, some time ago by Coll. Cary and his party, to cutt off their fellow subjects (tho' that heavy charge is proved by divers testimonys and firmly beleived in Carolina) has been the only occasion of this tragedy ; yet it appears very reasonable to beleive

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that the Indians have been greatly encouraged in this attempt, by the unnatural divisions and animosities among the inhabitants, and I very much fear their mutinous and cowardly behaviour in some late skirmishes will embolden the Indians to continue their insolencies. Upon the first advice of this unhappy event, I sent out detachments of our Militia to prevent our Tributary Indians from joining with those savages, and understanding that the greater part of the Tuscaruros had refused to be concerned with the rest of their Nation in this bloody execution, I have sent to them and the other neighbouring Indians to meet me next week on our frontiers, in order to a treaty. And as they stand in some awe of this Government, both from the opinion they have of our strength, and their apprehensions of the loss of our trade upon a rupture, I hope at this Conference to work so far on their fears and interests as at least to preserve their friendship, if not to engage their assistance for the destruction of those Assassines. There is very little temptation for any man to enter upon an Indian war, nor much honour to be got by encountering a people more like wild beasts than men : but if war be the only means left us to secure H.M. people and territories from the Heathen, I don't doubt but our Assembly (which is to meet the 7th of the next month) will take such resolutions as become them to provide for the effectual prosecution of it. But whatever air I may give the matter, to the Indians, I must not conceal from your Lordps. the incapacity of this country for an offensive or defensive war. Our Militia are in a manner wholly destitute of ammunition, and as ill provided with arms that are usefull, and unless H.M. will be pleased to send in a supply of both to ly ready against an emergency, I fear I shall not be able to sustain any considerable attack of an enemy. Upon the apprehensions we had this summer of the French squadron (which is said to be now in the West Indies) I made a shift to raise four forts, and run some lines for the defence of our cheif rivers, and to mount about 70 peices of cannon, not finding at my arrival such a thing as either parapet, pallisade, or one single peice of ordnance mounted throughout the whole Government. I endeavour'd to make our last Assembly sensible of the naked condition of their country, but the expence appearing to them then, much more immediate than the danger, they were easily influenced by their low circumstances to deferr the consideration thereof, however I prevailed on them to revive in the meanwhile a former Law made for the defence of the country in times of danger, and by virtue of that law I have carryed on the abovementioned works during the late alarm. Notwithstanding I have been mightily imbarassed by a sett of Quakers, who broach doctrines so monstrous as their brethren in England have never own'd, nor indeed can be suffer'd in any Government ; they have not only refused to work themselves, or suffer any of their servants to be employed in the fortifications ; but affirm that their consciences will not permitt them to contribute in any manner of way to the defence of the country, even so much as trusting the Government for provisions to support those that do work, tho' at the same time they say,

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that being obliged by their religion to feed their enemys, if the French should come hither, and want provisions they must in conscience supply them. As this opinion of theirs is quite different from their practice in Carolina where they were the most active in taking arms to putt down that Government (tho' they now fly again to the pretence of conscience to be excused from assisting against the Indians) I have thought it necessary to put the laws of this country in execution against that sect of people, which impower me to imploy all persons as I shall see fitt, for the defence of the country in times of danger, and imposes fines and penaltys on their disobedience ; I doubt not they will sufficiently exclaim against me on this occasion, and perhaps their brethren in England who keep a Joint Stock (as 'tis said) to prosecute the quarrells of all that sect, may think fitt to attack me : but I am perswaded I shall not incur my Sovereign's displeasure so long as I act by the rule of law ; and it is absolutely necessary to discourage such dangerous opinions, as would render the safety of the Government precarious, since everyone that is either lazy or cowardly would make use of the pretence of conscience to excuse himself from working or fighting when there is greatest need of his service. And I fear the Quakers would find too many proselytes on such occasions. As soon as I was informed of this fatal accident in Carolina, I prohibited all trade from this country with the Indians, finding they were better provided with ammunition than we ourselves, and had the Government of Carolina made the same stop when this country had a dispute with those very Indians, about a murder committed here some years ago, it is very probable they might have been more cautious of falling upon any of H.M. plantations, when they found we espoused one another's quarrells, but the tameness of the Government in passing over that affair, and the constant supplies they received from Carolina of powder shott and other necessaries, notwithstanding the representations of this Government, made them beleive we were under distinct Sovereigns as well as Governors, and that we would no more assist Carolina than they us. I have also sent to demand the releasment of the Baron of Graffenreid, who by our advices was still alive, but supposed only reserved for a more solemn execution, to be tommahawked and tortured at their first publick war dances. Upon perusing the rough drafts of my letters to your Lordships I fear there is ommitted in the transcribing a recommendation I intended to make to your Lordships some time agoe of Col. William Fitzhugh to be added to the Council. He is a gentleman of a plentiful estate, of good interest in his country, and of principles entirely loyal so far as I have been able to discover of him. This gentleman being added and Col. Bassett restored, according to my former request, will for the present compleat the number of the Council, and give me some more time to consider of proper persons or supplying future vacancys, which I assure your Lordps. is a matter of some difficulty among the little choice the country affords. If your Lordps. think fitt to recommend Mr. Fitzhugh to H.M. there is one Mr. Richard Lee Merchant in London, (who

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is his brother-in-law) will take out his warrant. *Signed*, A. Spotswood. *Endorsed*, Recd. Read Nov. 29, 1711. 5 pp. [C.O. 5, 1316. No. 72; and 5, 1363. pp. 374—381.]

Oct. 15. **121.** *Same to* [? *the Earl of Dartmouth*]. Duplicate of preceding as far as "such occasions." [C.O. 5, 1337. No. 15.]
Virginia.

Oct. 15. **122.** Earl of Dartmouth to the Council of Trade and Planta-
Windsor Castle. tions. I desire you'll be pleas'd to acquaint me by what power's and authority's the Admiralty jurisdiction is now exercis'd in the Plantations, etc. *Signed*, Dartmouth. *Endorsed*, Recd. 16th, Read 23rd Oct., 1711. 1 p. [C.O. 323, 7. No. 15; and 324, 9. p. 484.]

Oct. 17. **123.** Address of the Governour, Council and Assembly of
Boston. the Massachusetts Bay to the Queen. It is with the deepest sorrow and abasement that we are humbly bold to prostrate ourselves at your Majesty's Royal feet under the very melancholy awful reflection upon the late sore disaster and unhappy frustration of that important Expedition undertaken by your Majesty at such vast cost and expence for the reduction of Canada etc., in the wished for success whereof we hoped by the favour of Almighty God to have obtained some respite and ease from the heavy pressures of a long calamitous war under which we are languishing and have suffered the loss of so much blood and treasure. We humbly adore the Divine wisdom and sovereignty in that surprizing disappointment being supported with the consideration of having done our duty in giving assistance thereto to the utmost of our power with a cheerful obedience to your Majestys Royal commands etc. We should have esteemed it a very great honour if we might have hapily been instrumental and serviceable for making Canada a glorious acquisition to your Majesty's Imperial Crown.. We further humbly address your Sacred Majesty if in your princely wisdom you shall so think fit, that a new Expedition may be brought forward for the reduction of that country to your Majestys obedience withal most humbly praying your Majesty's most gracious consideration of the distressing circumstances of your Majesty's good subjects of this Province so greatly enfeebled and impoverished by the war and at a constant standing charge for the defence of the inland frontiers guarding of the sea coast and other incidental charge, little if anything short of £30,000 pr. annum *communibus annis* over and above the extraordinary advances for the preparations made in the two aforegoing years and for this years Expedition wherein we employ'd our utmost efforts. And that your Majesty would be graciously pleased, if it may be, to excuse us from furnishing a Quota of men for a new Expedition, or at least from the greatest part of the Quota directed for the former: dureing which, near one fifth part of your Majesty's subjects of this Province capable of bearing armes were actually retained in your Majesty's service and under pay vizt. at the Castle, forts, garrisons and in cruising on the coast including the souldiers and seamen

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on our part employed in the Expedition several of which are dead of sickness and of those of your Majesty's Governmts. of this Province New Hampshire Connecticut and Rhode Island to the number of some hundreds left the last year in the garrison of Annapolis Royal scarce one of five returned home, but dyed there and near one fifth of the recruits sent thither from hence this summer are since dead which with other mortalities and many of the young men of this Province going abroad by sea few of them returning home again besides others who to avoid being called forth to the service or paying of taxes have removed into the neighbouring Governments, has very much diminished our numbers *etc.* Signed, J. Dudley, Isa. Addington, by order of the Council, John Burril, Speaker. *Endorsed*, R. 17th Jan. 17 $\frac{11}{2}$. 1 p. [C.O. 5, 10. No. 141.]

Oct. 18.
St. Jago de la
Vega.

124. Governor Lord A. Hamilton to the Council of Trade and Plantations. I herewith send a duplicate of Aug. 29, by the *Salisbury* bound for Bristol. The Council and Assembly having had under their consideration the subject matter of two several Addresses to H.M., and a Representation to your Lordships, did apply to me to give order for stopping the said ship and some others now bound for England, untill these Addresses and Representation could be got ready; which, upon their joint request, I did accordingly, for the space of 24 hours. And now the said Addresses and Representation being finish'd makes me write to your Lops. much shorter and in greater hurry than otherways I inclined to have done, lest the merchants concern'd may think they have any just cause of complaint. That one relating to me in particular is what I was not in the least solicitous about; as being truly beyond my expectation, merit, or desire; tho' I could not but give way to what the Council and Assembly thought fit in that matter. But as to the other relating to bonds for the duties on prize goods, and the state of these bonds, as set forth in the said Representation, (all herewith transmitted to your Lops.) 'tis what the people here have very much at heart; and therefore I must take the liberty earnestly to recommend the consideration thereof to your Lops., hoping that you will concur in promoting the design thereof, for obtaining relief to the several persons aggrieved by these Bonds. By the first man of war or packet-boat, I'll do myself the honour to write to your Lops. fully of all particulars that may occur *etc.* Signed, A. Hamilton. *Endorsed*, Recd. 10th, Read 15th Jan., 17 $\frac{11}{2}$. 1 $\frac{3}{4}$ pp. *Enclosed*,

124. i. Address of the Governor, Council and Assembly of Jamaica to the Queen. Oct. 18, 1711. *Return thanks* for relief from the duties on the American Act, which were so insupportable, *etc.* We beseech your Majesty to extend your bountiful compassion likewise to many poor families and a great number of seafaring men belonging to this your Island, who have been captors and owners of several prizes long since taken, and who are become lyable to the payment of those duties upon

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bonds already entered into, and which if your Majesty is not graciously pleased to remit to them, must not only be their inevitable undoing, but will prove a great discouragement to the settlement of this your Colony. And in regard that several of the Agents for prizes to counter-secure themselves against the bonds they had entered into have kept in their hands out of such prizes as they were concerned for as much if not more than what the real duties amounted to which Agents if your Majesty should be graciously pleased to remit the said bonds would take the intire benefit to themselves of the shares of such owners and captors as shall never come to demand the same, we therefore humbly beg, that such Agents may be obliged to account in such manner as your Majesty shall think fitting for what was so deposited or detained in their hands, which will be a great encouragement to several seafaring men to return to this Island and partake of your Royal favour, and that the parts and shares of such as shall not return by a time to be prefixed by your Majesty and your Parliament may be thereby secured for (and we humbly hope apply'd to) the support of the Government of this your Island, which at present in many parts thereof labours under many great and real wants. *Pray for H.M. preservation etc. Signed, A. Hamilton, Rod. Mackenzie, Cl. Counll., William Brodrick, Speaker. Copy. Same endorsement. 3 pp.*

124. ii. A state of the case of the bonds for duties on prize goods (*referred to in preceding*). Totals, £12,023 4s. 6d. *Same endorsement. 4 pp.* [C.O. 137, 9. Nos. 60, 60 i., ii.; and (*without enclosures*) 138, 13. pp. 380—382.]

Oct. 18. **125.** Governor Lord A. Hamilton to the Earl of Dartmouth.
 St. Jago de la Vega. *Repeats part of preceding letter.* A privateer of this Island having taken a vessel bound for the Havannah, wherein the President Governor and Capt. Genll. of the Spanish Coast of St. Domingo happen'd to be passenger; I detain him upon account of H.M. subjects that are kept prisoners at Lima, concerning whom I had your Lordship's directions. I take this to be a favourable occasion for reclaiming them; and in order thereto I have caus'd him write to the Vice-Roy of Peru, that he is detain'd for them by way of reprisal, till I am assured that they are set at liberty. However I think of sending him soon for England at his own request, etc. *Signed, A. Hamilton. 2 pp. Enclosed,*

125. i. Address of the Council and Assembly of Jamaica to the Queen. Return thanks for the appointment of Lord A. Hamilton as Governor, etc. Oct. 18, 1711. *Signed, Rod. Mackenzie, Cl. of Counll., William Brodrick, Speaker. 1p.*

125. ii. Duplicate of No. 124 i. [C.O. 137, 51. Nos. 55, 56, 57.]

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Oct. 20. **126.** Council of Trade and Plantations to the Earl of Dartmouth. *Reply to 15th Oct. Refer to correspondence relating to Admiralty Jurisdiction in the Plantations, 18th Dec., 1701 ff. (v. C.S.P. 1701, 1702) and give list of Commissions etc. [C.O. 324, 9. pp. 484-488.]*
- Oct. 22.
Hampton Court. **127.** H.M. Warrants appointing Samuell Shirlock, Wm. Outerbridge, Leonard White, John Peasly and Saml. Smith to the Council of New York. *Countersigned, Dartmouth. [C.O. 324, 32. p. 106.]*
- Oct. 23.
Whitehall. **128.** Mr. Popple to the Secretaries of the Treasury. Encloses draught of a bond for Mr. Hyde (*v. June 14*). *Annexed,*
128. i. Draught of bond referred to in preceding. [C.O. 5, 1292. pp. 323-326.]
- Oct. 23.
Whitehall. **129.** Mr. Popple to Mr. Hulston. *Refers to preceding.* So soon as you shall have brought a certificate from H.M. Remembrance Office, that security has accordingly been given there, their Lordships will make their final report. [C.O. 5, 1292. p. 327.]
- [Oct. 23.] **130.** (a.) Journal of Committee of Accounts, Maryland. 28 pp.
(b.) Journal of Council in Assembly of Maryland, Oct. 23-Nov. 3, 1711. 28 pp.
(c.) Journal of House of Delegates of Maryland, Oct. 23-Nov. 3, 1711. 82 pp. *Copies.* May 29, 1712. [C.O. 5, 720. Nos. 10-12.]
- [Oct. 25.] **131.** W. Johnstone, of London, Merchant, to the Council of Trade and Plantations. *Recommends James Aynsworth to be Councillor of Barbados in the room of G. Lillington, decd., he having served under the late Governor during the suspension of the three Councillors, etc. In view of Alexander Skene's petition (v. Sept. 28), encloses copy of order in Council, Aug. 18, 1708, dismissing him from the office of Secretary, q.v. Endorsed, Recd. Oct. 25, Read Nov. 2, 1711. 1 p. [C.O. 28, 13. No. 67.]*
- Oct. 26.
Whitehall. **132.** Council of Trade and Plantations to Governor Lowther. *Acknowledge letter of June 24. We are glad to hear of your safe arrival at Barbados, where we hope by your prudent administration the heats and animosities that have too long continued there, will be wholly composed, since nothing can conduce more to the welfare and prosperity of that Island. We doubt not but you have received advise from the Leeward Islands of the repulse the French met with when they landed at Montserrat, which in a great measure as we are informed is owing to the conduct and bravery of the Commander of H.M.S. the Newcastle, and therefore we shall not add anything more on that head. Whereas there are several articles in the Instructions to all the Governors of America which have not punctually been comply'd with, and which are*

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necessary for our information in order to our laying a state of each respective Government before H.M. from time to time as the nature of the thing may require, and tho we do not doubt of your observance thereof, yet we find ourselves obliged to mention some of the said articles to you, as we do to all the rest of the Governors, that answers may be returned thereunto vizt., accounts of public money, patent places, courts, tables of fees, numbers of inhabitants, arms, ammunition, negroes imported, and wants and defects of your Government. We shall be glad to hear frequently from you, and to receive an account of the present state of your Government *etc.* *P.S.* An Act having been passed the last session of Parliament *for the encouragement of the trade to America*, we send you the said Act here inclosed, which you will cause to be published and duly observed in your Government. [*C.O.* 29, 12. *pp.* 369—371.]

Oct. 26.
Whitehall.

133. Council of Trade and Plantations to Governor Hunter. We have received letters from Mr. Clarke, May 28, 30, 31, and June 7, and shall return particular answers on the first occasion. *Require answers to clauses in Instructions as No. 132. Enclose Acts passed last session for the encouragement of trade to America, and for the preservation of white and other pine-trees.* [*C.O.* 5, 1122. *pp.* 426, 427.]

Oct. 26.
Whitehall.

134. Council of Trade and Plantations to Edward Lloyd, President of the Council of Maryland. *Acknowledge* letter of Nov. 4, 1710. *Require answers to clauses in Instructions as in preceding. Conclude:* H.M. having referred to us the Address from you, the Council and Assembly relating to ye Governor's keeping of the seal of Maryland, and we having laid the whole state of that matter before H.M., she has been pleased by her Order in Council, June 14, 1711, to declare her royal pleasure therein *etc.*, which Order we send you here enclosed, that you may cause the same to be published and entred in the Council books and punctually complied with. *P.S.* *Repeat last paragraph of No. 133.* [*C.O.* 5, 727. *pp.* 305—308.]

Oct. 26.
Whitehall.

135. Council of Trade and Plantations to Governor Dudley. Since our letter of Jan. 29, a duplicate whereof has been sent you, we have received none from you, and only one from Mr. Addington *etc.* *Require answers to clauses in Instructions as in preceding.* [*C.O.* 5, 913. *pp.* 352, 353.]

Oct. 26.
Whitehall.

136. Council of Trade and Plantations to Governor Lord A. Hamilton. We have received your Lordship's letter of July 17, and at present have only to acquaint your Lordship, that we are glad to hear of your safe arrival, as also of the repulse given the French at Montserrat, which we understand from Mr. Hamilton, Lieut. General of the Leeward Islands, was in a great measure owing to the conduct and bravery of the Commander of H.M.S. the *Newcastle*. We hope that Commodore Littleton, whom your Lordship mentions to be gone in quest of Monsr. Du Casse, will,

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if he is so lucky to meet with the Fleet under his convoy, be able to give a good account of his Expedition. *Require replies to certain Articles in Instructions as in preceding.*

We hope that your Lordship will find the new Assembly disposed to do everything that you may recommend to them for H.M. service and the good of the Island. We shall be glad to hear frequently from your Lordship, and to receive an accot. of the present state of your Government, and such other accounts as are required by your Instructions. *P.S.* An Act having been pass'd the last Session of Parliament, *for the encouragement of the trade to America*, we send you the said Act here inclosed, which you will cause to be published and duly observed in the Island under your Government. [C.O. 138, 13. pp. 361—363.]

Oct. 26.
Whitehall.

137. Mr. Popple to Mr. Attorney and Mr. Solicitor General. The Council of Trade and Plantations send you the enclosed clauses of an Act past the last Sessions of Parliament relating to the issuing of debentures to such of the sufferers of Nevis and St. Christophers as have resettled or shall resettle their plantations and thereupon desire your opinion upon the following queries. (1) What is to be deemed a resettlement? (2) What will be a sufficient proof of such a resettlement? (3) Whether the inhabitants, vizt. merchts., shopkeepers *etc.*, who had no plantations, and whose losses are inserted in ye returns made by the Commrs. appointed to state the same, are to be relieved by the above clause? [C.O. 153, 11. p. 376.]

Oct. 26.
Whitehall.

138. Council of Trade and Plantations to Governor Douglas. We have had from Lt. Genll. Hamilton an account of your safe arrival, and should have been glad to have received it from yourself. However we hope to receive shortly from you an accot. of the present state thereof, and of what you have done in relation to the late Rebellion at Antegoa. We doubt not but by your prudent interposition, you will be able to allay the heats and divisions that have too long disturbed the peace of that Island, and that the Council and Assembly as well of Antego, as the other Islands under your care, will act in concert with you to H.M. service, and their own good. H.M. having been pleased by her Order in Council, March 1st, 1711, to repeal an Act of St. Kitts *for the Treasurer's paying the publick stock, etc.*, we send you the said Order here inclosed, which you are to cause to be published and entred in the Council books of that Island as usual. *Require answers to several clauses in his Instructions as No. 132.* *P.S.* An Act having been passed the last Session of Parliament *for the encouragement of the trade to America*, we send you the said Act here inclosed, which you will cause to be publish'd and duly observed in the Leeward Islands under your Government. [C.O. 153, 11. pp. 377—379.]

Oct. 26.
Whitehall.

139. Council of Trade and Plantations to Lt. Governor Bennett. *Acknowledge* letters of Dec. 26, 1710 and June 22,

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1711. We should have been glad to have received the account of the fortifications you mention therein. But whereas there are other clauses in your Instructions that have not been complied with, *conclude as preceding with request for answers.* [C.O. 38, 7. pp. 29—31.]

Oct. 26.
Secretary's
Office in
Barbados.

140. Mr. Skene to the Council of Trade and Plantations. *Encloses the last quarter's Minutes in Mr. Lillington's time, etc. Signed, A. Skene. Endorsed, Recd. Read Dec. 13, 1711. 1 p. [C.O. 28, 13. No. 77; and 29, 12. p. 395.]*

Oct. 26.
Whitehall.

141. Council of Trade and Plantations to the Earl of Dartmouth. In reply to your Lordship's letter of 15th instant, desiring to know by what power and authorities the Admiralty Jurisdiction is exercised in the Plantations, *quote* Order of Council Dec. 18, 1701, and replies from Governors to circular letter written to them. (*v. C.S.P. 1701. No. 1094, 1702, Nos. 197, 504, 570, 743, 1005, etc.*). We have likewise examined the copy of the Commn. for Vice-Admiral given to the late Sir Bevil Granville under the Seal of the Admiralty (and we are inform'd that Commns. to the like purpose are given to all H.M. Governors in America) whereby he was impowered to appoint a Deputy or Deputies for determining all maritime affairs, as also all other fit and necessary officers under him, for the execution of his office of Vice-Admiral. And as the returns from Jamaica and the Leeward Islands mention a clause in the Governor's Commn. under the Great Seal of this Kingdom, impowering them to constitute Courts, we inclose a copy of that clause in the Lord A. Hamilton's Commn., which is the same to all the other Governors in America. *Autograph signatures. 5 pp. Enclosed,*

141. i. Copy of Clause in Governor Lord A. Hamilton's Commn., impowering him to constitute Courts *etc.* [C.O. 137, 46. Nos. 1, 1 i.]

Oct. 26.
Whitehall.

142. Council of Trade and Plantations to Lt. Governor Spotswood. *Acknowledge letter of July 25, etc. Request replies to Instructions and enclose Acts as No. 133. [C.O. 5, 1363. pp. 342—345; and (rough draft) 5, 1335. pp. 138—140.]*

Oct. 26.
Bermuda.

143. Lt. Governor Bennett to [? Lord Dartmouth]. *Refers to letter etc. of June 22. The three soldiers I reprieved att the gallows were soe penitent, that the Council made application they might be pardoned, as did the Assembly by an Address, soe that I found none were apprehensive of any second attempt, or that the Island was in any dainger by them: I therefore pursuant (as I conceived) to H.M. most gracious goodness and intention of mercy pardoned them, and are now soldiers again in the Company: I hope I have not varied anything from the dictates of your Lordps.' letter, etc. This country in generall is afflicted with the measles, but does not prove mortall altho' infectious, none escapeing in a ffamily it seized that has not had them. Repeats part of June 22. This coast has been lately*

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infested by a French privateer of 10 guns and 120 men, and has taken severall vessells : whereupon I fitted out two sloops, and sent them to cruse round the Island att a convenient distance, which they accordingly did for five days, but the privateer was gone : I wish more in company doe not visit us, and that the want (in case they should land) of an augmentation to H.M. independt. Company of Foot (mentioned in mine of June 22nd) be of noe inconveniency. As for my part I shall doe all that's possible for me to demonstrate faithfull discharge of my duty, and the trust reposed in me, *etc.* Signed, Ben. Bennett. *Holograph.* 4 pp. [C.O. 37, 28. Nos. 8 ; and (duplicate) 9.]

Oct. 27.
Barbados.

144. Governor Lowther to Mr. Popple. Encloses duplicates of Minutes and Acts sent Aug. 20 *etc.* Signed, Rob. Lowther. *Endorsed*, Recd. Read Dec. 13, 1711. *Holograph.* $\frac{3}{4}$ p. [C.O. 28, 13. No. 76 ; and 29, 12. p. 394.]

Oct. 27.
Barbados.

145. Dudley Woodbridge, Judge of H.M. Court of Admiralty, Barbados, to the Earl of Dartmouth. When I did myself the honour of addressing your Lordship on the 24th instant, I was under noe apprehension I should have this occation of laying before your Lordship an account of an appeal from my judgement here to H.M. in Privy Council, which I granted in pursuance to the Act *for the encouragement of the trade to America.* But soe it is, may it please your Lordship, Capt. Thomas Legge and Capt. Robert Chadwick, Commanders of H.M.S. *Anglesea* and *Joy* having taken ye shipp *Camwood Merchant* from the subjects of the French King on the coast of Affrica brought her into this port and libell'd her in the Admiralty here. Messrs. Bate and Stewart Agents to the Royal Affrican Company put in a claim to the said ship in behalf of the Company, on hearing ye arguments of ye Council on both sides, and inasmuch as it plainly appeared to me that the shipp was in ye possession of the subjects of the French King at the time of her caption, had been soe for the proceeding 28 days, had been carryed in and anchored in several ports, or rivers on the coa(s)t of Affrica, where the French usually trade, and there unloded her English cargo, and was reladed by the subjects and with the effects of the subjects of the French King, and bound with the same on voyage to Martineco, an island (belonging to the French King) in America, but was by such caption of the *Anglesea* and *Joy* prevented and compel'd into this island, it was my opinion and I did accordingly sentence the said shipp to be lawfull prize to the said Legge and Chadwick and their ships' companys *etc.*, which reasons *etc.* I humbly begg leave to lay before H.M. in Privy Council, thro' the hands of your Lordship. Capt. Legg and Capt. Chadwick having sail'd from this place for Jamaica on the 23rd instant are noe ways apprais'd of this appeal, nor being under any expectation of the same, did take care to leave attorneys or fee Council to state and transmit the case and proceedings thereof. For the petition for said appeal, the order thereon, and ye security given was not till the 25th and 26th instant, which were the last days within

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the limitation of the Act of Parliament for granting the same. I humbly hope and flatter myself your Lordship's goodness will pardon the plainness and freedom of this address, when I tell your Lordship I am wholly unfit and unaccustomed to applications of this nature, this being the only appeal from any judgement of mine, and the first that ever was from this Island on the aforesaid Act, *etc.* *Signed*, Dudley Woodbridge. 4 pp. *Enclosed*,

145. i. (a) Raynes Bate and Thomas Stewart to Dudley Woodbridge. Petition for leave to appeal against judgment in the case of the *Camwood Merchant*, on the grounds that she belonged to the Royal African Company before being taken by the French, and was not carried into any French port *etc.*, before being recaptured. The Company therefore claim restitution of the ship on payment of salvage *etc.* Oct. 24, 1711.

(b) Leave to appeal granted, provided security be given Oct. 25, 1711. *Signed*, Dudley Woodbridge.

(c) Security of £1000 given *as above* Oct. 26, 1711, by Raynes Bate and Thomas Stewart. *Copy*. 2 pp. [*C.O.* 28, 43. Nos. 66, 66 i.]

[Oct. 28.] **146.** Copy of Order in Council, Feb. 27, 1709, (*v.* C.S.P. 1708, 9, No. 482) restoring Alexander Skeen to the office of Secretary of Barbados; *etc.* (*v.* Oct. 25, Nov. 15 *etc.*) *Endorsed*, Recd. Oct. 28, Read Nov. 15, 1711. [*C.O.* 28, 13. No. 68; and 29, 12. pp. 374, 375.]

Oct. 30. **147.** Address of the Governour, Council and Representatives of New Hampshire to the Queen. *Return thanks* for H.M. favour in the late Expedition *etc.* But whereas the Divine Sovereignty was pleased to disappoint that noble design to which we yielded a cheerful obedience to your Majesties Royal commands, would humbly crave that notwithstanding the disappointment your Majestie would graciously accept of our sincere design and endeavours therein. Att same time most humbly pray, if in your princely wisdom you see meet, that your Majestie would graciously please to renew the Expedition in the Spring for the reduceing of that Countrey unto your Majesties obedience. And whereas one halfe of our men, are employed against the daily insults of a barbarous enemy, which renders us very poor and feeble; And considering that at least one third of our young men yearly goe abroad, very few of whom returne again; Wee humbly begg your Majesties most gracious favour respecting our Quota of men, under our present distressing circumstances, and humbly prostrate ourselves at your Royal feet, *etc.* *Signed*, By Order of the Council, Cha. Story, Secretary. By order of the Representatives, Richard Gerrish, Speaker. 1 p. [*C.O.* 5, 10. No. 6.]

Oct. 30. **148.** Council of Trade and Plantations to the Lord High Treasurer. *Report upon the* petition of George Lyddel and Robert Clayton of St. Kitts (*v.* Aug. 22). Petitioners having been at great expense in improving the sd. plantations, and sustained considerable losses by the late invasion and dreadfull hurricane;

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and as such improvements are an addition to H.M. Revenue, we see no objection why H.M. may not renew the said grant for $2\frac{1}{2}$ years (according to H.M. order of Nov. 13, 1705) to commence from expiration of Col. Parke's grant, provided there be a reservation of the usual quit-rent, as in Mrs. Bowden's grant of Aug. 14, 1707. [C.O. 153, 11. pp. 388, 389.]

Oct. 31.
Warspight,
St. Johns,
Newfoundland.

149. Commodore Crowe to the Council of Trade and Plantations. *Encloses following* replies to Heads of Enquiry April 17. Severall abuses that had been committed I have regulated, and some others which are esteem'd as abuses, cannot be otherways order'd, but peticularly about the rynding of trees, which cannot be avoided except the fishing ships and inhabitants doe cover their stages and houses with board, and as to New England vessells *etc.* supplying the people with provisions which is allso esteem'd an abuse, I cannot see my way to avoid unless they were supply'd with greater quantitys from Great Britain, the people are pretty numerous, and would want in the winter season both bread and flower if not supply'd from New England *etc.* The Fort in this place considering the late destruction is in very good posture of defence against any attempt of the enemy from these parts, for Mr. John Collins, the deputed Governor in absence of H.M. ships has by his industry and som charge repaired a great part of the damages, and somthing that is still wanting is now in hand a repairing, soe that by the methods I have taken by forming the inhabitants into bodys in severall places proper for defence, and divideing those bodys into companies with proper officers, I hope in god the inhabitants will be capable of defending themselves and effects this winter, but what is wanting is 200 regular troops, 150 for this place and 50 for Ferryland, all under a Governor resideing here, who should have full power to determine causes between man and man, and by whoes determination (with consent of some of the principall people) they should stand, but the Officer soe sent must be an impartiall man prefering the publique before his own private interest, and who will not doe injustice for gaine, it is such a man that must prevent irregularitys and abuses in this place, and continue to keep the people under good orders, for they are natureally inclined to be ledd by the person who has power to drive them. The reasons I propose for 150 men for this place and but 50 for Ferryland is the conveniencies of the Fort and harbour, which is very commodious for 200 or 250 saile of ships, it being the metropolis of this Island and lying just in the center of trade and most resorted too; soe that whatever occasion may be for assistance to any part it is sooner sent hence than from any other place. Ferryland and its adjacent places being the Sothermost part of our Fishery, the Fort and harbour small, which won't containe above 50 sail, altho' a place very fitt and commodious for a small fort and fewer forces will defend it, yet St. Johns exceeds it abundantly, by the conveniencies of the people's building under command of the cannon, whoes number is now within the fort, and mounted, including 4 that I have order'd on shore, 14 with ammunitiion,

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I hope sufficient for this winter. If the troops abovementioned were sent thither early in the spring to arrive here in the beginning of Aprill next, and three men of warr of 50 and 40 guns to cruize off Placentia would intercept all their provisions and soon starve that place, the reducing of which as it is the shurest soe it is the easiest and cheapest way to fortifie and make this Island flourish, etc. *Signed*, Jos. Crowe. *Endorsed*, Recd. Nov. 28th, Read Dec. 4th and 14th, 1711. $2\frac{1}{2}$ pp. *Enclosed*,

149. i. List of bodies of inhabitants drawn from several places
Total : 1925 men. $\frac{3}{4}$ p.

149. ii. Commodore Crowe's Replies to Heads of Enquiry (v. April 17). *Articles* 1, 3, 20, 21. Number of English planters, men, women, children and servants, amounts to 2281; the greatest part being fishermen or boate-keepers in the summer season, are wholly employed in catching and curing fish, or in making train, the former of which they vend to the sack ships coming for that purpose, or to merchants and factors residing among them, of which they have some, both from Great Britain, Ireland and New England, the latter to British ships only. In the winter, the planters both to the northward and southward of St. Johns hunt for deer, beaver, otter, bear, martin, fox and seales, on whose flesh they feed for the greatest part of that season and of their furs drive some small trade with the ships at their return into the country, but at St. John's the inhabitants have little or no benefit of this; these beasts generally retiring to the woods frightened by the greater number of people that resorts there more than to other places; besides the danger they are expos'd too by the neighbourhood of the French at Placentia makes that much neglected, as it does many other improvements the country is capable off, as building, breeding of cattle, planting many European grains, fruits, plants etc., necessary for their more comfortable subsistence. Their provisions they have in part from Great Brittain and Ireland, the remainder from New England, New York, Pensylvania, and Carolina which is brought in their tradeing sloops in good quantitys; particularly flower, briskett, pork, some sheep and black cattle, without which the Planters would starve, planting nothing themselves for the reasons before mentioned, and a sufficient quantity not being brought from great Brittain; their salt they have from Portugall, the Azores and Canary Islands with some French salt taken in prizes, but I do not finde that they have any supply of cloath, neets, tackle, or fishing necessarys, but from Great Brittain, excepting what is brought in prizes. *Article* 4. I do not find that they make any waste of the woods by setting fire too or burning them any otherways than for their necessary occasions, but they continue to rynde the trees as without which they

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cannot (as they pretend) carry on their fishing trade, and much waste is made of the woods so rynded, for being at a greater distance than smaller woods which is of easier carriage and more usefull for building their stages, flakes *etc.*, it is left in the woods till the weather and length of time decays it; for which there is no remedy, unless they are oblidged to cover their stages and fishing houses with board. *Articles 5 and 6.* Great complaint was made of many and great ineroachments and daily makeing upon beaches, stages and ships roomes, where the planters and by-boate keepers build dwelling-houses, storehouses and stages, and exacted exorbitant rates from such ships as had occasion for them to their prejudice, and the discouragement of the fishing-trade, all which I ordred to be dispossessed according to the intent of the Act of Parliament, and they are accordingly dispossessed. *Article 7.* The by-boate keepers and fishing ships have generally more fresh men then their proportion to their respective companys of seamen, but very few have certificates thereoff from great Brittain, and I finde the inhabitants doe also imploy a proportinable number of green men, as the Act directs. *Articles 8 and 9* are wholly comply'd with. (10) I doe not finde that the fishing ships or others when they are ready to saile or at other times do destroy or deface or doe any detrement to the stages or cookroomes *etc.*, or to the materialls thereto belonging, but I finde most of the fishing ships and by-boate keepers when their fish is cured remove their fleaks and put them into houses with severall other things which can be moved in order (as they say) for their preservation, and so to be imploy'd on the same roome by them that take it the next year, and I finde all fishing ships and by-boate keepers do content themselves with what is necessary for their own use, and do repair the defects of stages *etc.* by timber *etc.* fetched out of the woods, and I have been informed that the planters in the winter's season does deface and destroy the stages *etc.* belonging to the fishing ships for the repairing their own, but nothing prov'd against particular persons. *Article 11* is wholly comply'd with. (12) I do not finde the Admiralls of harbours take that care as they should aboute the rules and orders in regulateing the fishery, for they don't keep jornals and accounts, or the number of all ships, boates, stages, *etc.*, nor of the seamen in each harbour, as the Act directs, for I have demanded them here from Capt. Hayden Admirall, and Capt. Dorrell Vice-Admirall of Carbinear and could not have them, therefore what journall they deliver in Great Brittain I know not, for often people yt. were never in the country before are Admills., therefore it would be very necessary yt. none who has not used ye trade five

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years at least should have that previlidge. (*Article 13*). I doe not finde by the complaints made to me that the Admirall of this harbour gave himselfe much concern for the determination of any differances among the Planters or others, but they wholly depended on me, coming with their greivances and complaints farr and near for me to determine, and I finde they do the like in other harbours where any man of warr is, and depend little on the Admiralls, who have so much business of their own that they cannot finde time to do justice for others. *Articles 14 and 19* are wholly comply'd with. (15) Before my arriveall the Lords Day was nothing at all regarded neither by the inhabitants or comon saylers, who spent it generally in the houses of entertainment in drinking, swareing and the most disorderly actions, liveing without any sense of religion ; and profaneing the day to that degree that a stranger could never beleive they had heard of Christianity nor indeed of god 'except by the oathes, curses, blasphemous expressions and horried imprecations ; at my first meeting with the commanders of ships and the Planters of St. Johns, I represented this to them and proposed that they should by volluntery contribution repair their Church and do something for the maintainance of the Minester sent by the bishop of London, who arrived at the same time with me ; when the Church was repaired, and upon my publishing by beat of drum and affixing to the most publique places the laws established in England against immorality and profaneness, and punishing those that were found guilty accordingly, their swareing and riateouse liveing was in a great measure left off, and the Church upon that day generally frequented ; had they a man amongst them impowered to put the laws in execution, who would do it impartially and prefer the publique before his own private interest, religion would soon be effectually established, the people would becom orderly, and deal fairly ; and this Island by its trade add very much to H.M. Revinue, and the riches of the Nation ; to this purpose till other provision is made, I have given the Governor I deputed Instructions annexed to his Commission, and hope it will have success accordingly. (16) There is no resort of any strangers to fish or trade in any part of the Island, except the French who fish and hunt both to the northward and southward of our plantations, and some few Spanyards, who come with passes to buy fish. (17 and 19) Due care is taken by those that catch fish for the well salting and cureing the same, and preparing it fitt for markitt, which if they neglected to do, it is of such a nature that it would be quite spoyled before ship'd, for at any time that they are overtaken with raine while the fish is green on the flakes, or if by the neglect

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of a salter the fish be over or under salted, it becomes damnified and called refuge fish, and tho' as good for present spending as the best, yet will sell but for halfe price on the spott, and ship'd off for the West Indias. (22) At present neither wine, brandy nor rum is brought hither from New England, there being sufficient quantitys brought from the Azores and the West Indias, and som quantity taken in prizes, by which some of the fishery grow debauched and run in debt; and great part of the year's wages is gon before it be well earned, to the great hinderance of their business, and then they hire themselves to the Planters for another year, but since my arriveall here, I have supress'd in som measure by threats, punishments, and other necessary means both to the vender and criminall. (23 and 24) Som small quantitys of wine and oyle are brought here from Lisbon, Liverhorn or other places in the Mediteranion by most ships that come thence, and is expended among the fishermen and inhabitants, and I don't finde any trade driven by selling the same to New England or other Plantations, excepting som masters of small vessells buys a hogs head or two of prize wine for their own use. (25) I don't finde that any Plantation commodities excepting sugar, mollasses, rum and tobacco are exported hither, and no more of those then what is used by the scamen, planters, and fishermen of this country, and none to be shipp'd off for any part of Europe. (26) *v. infra*. The price this year is 15s. per quintoll, fish being scarce, but other years when more plenty, it is sold for eleven shillings, but I dont' know how it can be sold in great Brittain. (27) *v. infra*. They feed their men in the summer season mostly with fresh codd, with som salt pork and a little beefe and biskett, they catch all their codd with hooks and line, but som of their baites with netts, and other with hookes, by bobbing; they are at about £150 charges for wages, victualls and craft for each boat, and have catched not above 200 quintolls per boat and som a great deale less by reason of the scarsness of fish this year, (28, 29) which has rais'd the price to 15s. per quintoll, and yet I beleive som of them will be losers this year, for other years they catch from 350 to 400 quintolls per boate, and their fish is worth 11s. per quintoll. Train oyle is worth £16 per tun, which is most part or all carry'd to great Britton, but the fish is sent to Portugall, Spaine and Ittialy. (29) *v. infra*. (30) I don't finde any masters of ships encourage their men to stay behinde, but most that does stay seek it themselves by hireing themselves to planters for another year; others run away from ships and stay in the woods to meet oppertunity to gett for New England, which I have in great measure prevented, since I came into the

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country, but others gett on board the privateers, therefore cannot learn what number is left behinde yearly, but finde as som does stay, others as their affairs call them goe hence to great Brittain, and I finde the best methods for preventing there staying here, is the dilligence of the officers guarding the severall harbours, to prevent their goeing for New England. (31, 32). By the best information I can gett here, there is not above 600 French inhabitants att Placentia and the places adjacent, but they have now with two companys, brought lately over, five companys of soldiers ; and but small encouragement given to settle, or plant anywhere, for som times they send great ships a fishing in harbours to the northward of us as farr as 50 and 51 degrees of Lattitude, and as soone as their voyage is made, they all retire and leave the place, but there has been orders given this year, that no ships shall fish there ; they have no fort or places of strength but Placentia, where in the Fort on the Hill are 16 gunns, 6 iron and 10 brass, which were carryed from St. Johns, that fort is square, haveing only four guns in front in two teere ; in a small bay under this Castle are planted 12 guns with a brest work on the East side of the bay ; 2 miles from the Fort are 4 gunns in the west side of the harbour ; the grand Fort of 40 gunns, 20 of which are at the goeing in of the harbour, 10 fronting the bay and 2 to the land. They have a small trade from Quebeck for furs and flower, but most of their provisions comes from France, and if 3 men of warr of 50 and 40 gunns were here early in the spring, and to cruize off that place by the midle of Aprill, it would intercept their provisions and soone starve that place, the reduceing of which, as it is the surest, so it is the easiest and cheapest way to fortifie and make this Island flourish. 7 pp.

149. iii. Scheme of the Fishery of Newfoundland. Number of fishing ships, 62 ; sack ships, 55 ; ships from America, 10 ;=6880 tuns burthen, and 3137 men. Number of fishing ships boates, 168 ; by boates, 93 ; inhabitants' boates, 346 ; by boat masters 76 ; men 558. Quintals of fish made by fishing ships, 33988, by by-boats 13950, inhabitants boats, 72608 ;=120546 quintals. Quintals carried to market, 118900. Quantity of train made by fishing ships, 234 ; by boates, 85 ; inhabitants, 410 ;=729 tunns. Number of stages, 123. Number of inhabitants, men, 1925, women, 190 and children 278=2393. *Signed, Jas. Crowe. Warspight. St. Johns, Newfoundland. Oct. 31, 1711. 1 p.*

149. iv. (a) By Capt. Jos. Crow, C. in C. of H.M. ships, forts, and garrisons in Newfoundland. A record of severall laws and orders made at St. Johns for the better discipline and good order of the people and correcting irregularities by them committed contrary to good laws and

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acts of Parliament, all which is debated at severall Courts held wherein was present the Commanders of mercht. ships, merchts. and cheif inhabitants and wittnesses being examined, it was brought to the following conclusion, Aug. 23—Oct. 23, 1711. (1) That a sume of mony should be collected by a voluntary gift from the commanders of ships, merchants, masters of families and others tradeing to St. Johns and those resideing there for this winter season for repairing and refitting the Church which was demollisht in order for the due worship of Almighty god therein, and the remainder for the Minister's subsistence. (2) That orders be put up att publick houses and other convenient places for the suppressing drunkenness cursing and swearing, and other irregularities with fines and punishment according to annexed copy. (3) That a body of seamen or others should keep guard in the night and patroull along the backsides of the harbour of St. Johns to prevent the mischeiffs frequently committed by the spyes of the enimey and others upon the inhabitants, to be raised from the complements of the ship in ye harbour one man for every 15 and by one man for every three boats of the inhabitants and by boat-keepers, a commander of a ship and a mercht. to command them each night. (4) That the tenements, store-houses and stages, *etc.*, now in posestion of persons mentioned, being proved formerly belonging to fishing ships and engros'd since 1685 contrary to Actt of Parliament to the prejudice of the said ships *etc.*; I do therefore hearby disposes them of the same in right of the fishing ships for the next season. (5) That the inhabitants, fishermen, and servants of the severall places in Newfoundland are to repair to their winter quarters allotted them (*enumerated*) by Oct. 1st and be under command of their severall Governors for the better security of themselves and effectts against the assaults of the enimey. (6) That the houses in Fort William of St. Johns is not to be sould or lett for hire but in case ye person that buillt or otherwise purchased the same for time past does not inhabitt therein themselves the said houses are att the disposall of Governor Collins to put therein such persons that are destitute of habitation in the said fort. (7) That the owners of such houses which shall themselves inhabit therein, and have not a preportion of people to the said house, it is at the discretion of the Governer Collins to put to cohabitt with them such a number of people as he shall see convenient. (8) That in case there may not be sufficientt ground in the said fort to builld habitations for the number of inhabitants that are to reside there for this winter season is to be left to the discreetion of Governor Collins to give leave for the building such

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habitations as will be proper for them under the gunns without the work of the fort. (9) That servants in this country frequently hier themselves to one or two or three masters at one time not only to their disappointment butt much to their prejudices and hinderance thereof for the preventing such irregularities for the future, I doe hearby impower the Governor over such persons so offending to oblige them to pay for every such offence £2 10. for the publique good or otherways cause them to [be] whipt three times forward and backward along some publique place. (10) That five men for each ship in the harbour shall goe into the woods and cutt 20 stockadoes and pallasades to repair the works of the Fortt of St. Johns, and the boat-keepers for every boat they keep in the season use to fetch as maney. (11) That the plantation wherein John Drue of St. Johns has posestion being proved to be ship's room yet in regard to his age and thereby past labour, he has free liberty to enjoy the same dureing life, butt after his decease to return to ye right of the ships. (12) That Mr. Furss is confirmed at a second application to loose the upper stage adjoining to his own two boats room that he now houlds in behalf of Mrs. Anne Earll. (13) That whosoever at any time shall demolish, deface or brake downe any stage, cooke-room, house or flakes, by removeing any raffters, rinds, floeing, shores, stakes or layers, any other way than with a designe to imploy them on the same room the next year, shall forfeit £10 for repairing the same to the posseser of the said stage and roome. (14) The house in possion of Capt. Arthor Holdsworth, that formerly belonged to Mr. Juitt, I have confirmed to Capt. Holdsworth, this right being assigned to him by Mr. Richard Colesworthy. (15) That the minister have for his subsistance a subscription for the insuing year from the shollups three, the two men boats two, and the skiff one quintoll of dry merchandable fish, to be leaved one from the owner of the stage, one from the boat-keeper, and one from the servants. (16) That a plantation of three boats rooms in possession of Abraham Barrott and Richard Lutton in Torbay being ships' rooms, they are disposses'd thereof in right of the ships that have occasion for them the next year. *Signed,* Jos. Crowe.

(b) Proclamation by Commodore Crowe, *Warspight*, St. John's harbour, Aug. 28, 1711. I doe hearby strictly forbid any tavern or publick house to entertaine any seamen or others upon the Sabbath day except strangers come from other harbours in boats with effectts, to whom as well as to others you are not to sell any strong liquers whereby they may be debauched by drunkenness to the dishonour of Allmighty god, neither are you at any time

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to suffer any company to keep disorderly hours in the night, or to lett them have so much liquers as may make them drunk upon the penalty or forfeiture of 40s., and for the second double that summe with the loss of the licence, and each person so taken in any house disorderly shall forfeitt one shilling, or otherwise be punished according to my direction and the mony so forfeitted shall be put for repaireing the Church, and if any person above the rank of a common seaman be convicted of swearing or curseing shall pay for such an offence 2s., and a common seaman or servant 1s., or to receive such punishment as I shall think fitt, and the mony so collected shall be for the use above-mentioned. *The whole, 5 pp.*

149. v. Since the writeing the foregoing, I have mett one Martin Kellogg who lives at Dearfield in New England, and was taken twice by the Canada Indians, the first time after liveing with them 15 months made his escape, the second time of his being taken is three years the 14th 7ber. last, and has been in Canada ever since, liveing 9 months near Mount Royall, and six with the Indians, and three with a French preist before he was discovered to be a man taken before, but then remov'd to Quebeck, where he continued 2 years and 3 months, and after that when they heard of the English Fleet coming they sent him away prisoner to Placentia, but was taken by the way by the *Ambuscade* privateer. He sayeth Quebeck is the principal place, and about half a mile square with pallasadoes and mudd walls hove up against them, haveing near 100 guns, but don't exceed 5 or 600 men in it fit to carry arms. Mount Royall is the second place and more then halfe as big as Quebeck pallasaded round, but not mudd walls, has in it about 200 familys and about 350 men includeing soldiers fitt to bear arms, and is about 60 leagues S.W. from Quebeck. Three Rivers is the third place which is about 30 leagues from Quebeck all by the river side, and in it not above 50 houses with severall small Indian Forts, along the river side, wherein is an officer and guards, the river lies nearest S.W. and N.E., and inhabited by French and Indians on both sides the river and may be near 6 or 7000 French in all Canada besides Indians whom they don't suffer to live in their towns, only in small places distance from them and can gett in 15 or 20 day's warning near 2000 Indians to their assistance. The country is very fruitfull for grain and produceth very large horses and sheep with a great many other cattle, and sends abundance of furs to France; but that all their cloathing, stores, necessarys and liquors *etc.* come from thence. *Signed, Jos. Crowe.*
 $\frac{3}{4}$ p. [*C.O.* 194, 5. *Nos.* 8, 8 i.-v.; and 195, 5. *pp.* 234—263; and 194, 24. *Nos.* 2, 2 i.-v.]

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[Oct. 31.] **150.** Abstract of Journal of proceedings of the Governour, Council and Assembly of the Massachusetts Bay for assisting the Expedition for the reduction of Canada and Newfoundland, June 8—24th, 1711. With a note as to the steps taken to provide supplies, and General Nicholson's uncommon zeal and indefatigable pains for the preparations for the Expedition *etc.* 12 pp. [C.O. 5, 10. No. 142.]
- Nov. 2.
Whitehall. **151.** Wm. Popple to Mr. Attorney General. Encloses, for his opinion thereon, two Acts of Barbados, (a) 1709, *to render more effectual certain legacies bequeathed by Capt. Williams*, and (b) 1710, *to dock the intail of certain lands in the Parish of St. Philip etc.*, and *to vest the same in Benjamin Chapman, planter, in fee simple.* [C.O. 29, 12. pp. 372, 373.]
- Nov. 2.
Whitehall. **152.** Council of Trade and Plantations to the Earl of Dartmouth. *Reply to letter of Sept. 22*, (which was brought to us but three days ago), we do not find that there is at present any vacancy in the Council of Jamaica; when we are advised of any such, we shall humbly lay before H.M. the name of such person as shall appear well qualify'd for that trust. [C.O. 138, 13. p. 374; and (autograph signatures) 137, 46. No. 2.]
- Nov. 5.
St. Johns. **153.** Lt. Governor Collin to the Board of Ordnance. Encloses copy of letter June 18. I am still appointed to command H.M. Fort *etc.* In what lays in my power with the inhabitants shall contribute all I can for the service. I hope there may be forcees cum over for the garrison it being very hard on the inhabitants *etc.* Signed, John Collin. Endorsed, Recd. Dec. 1st, 1711. 1 p. Enclosed,
153. i. Bill of Exchange for £132 10 drawn by John Collin on the Board of Ordnance. Nov. 5, 1711. Copy. $\frac{1}{2}$ p.
153. ii. Account of disbursement of provisions and munitions, Fort William, St. Johns, 1710—1711. Signed, John Collin. 1 p. [C.O. 194, 24. Nos. 4, 4 i., ii.]
- Nov. 6.
Tidworth. **154.** H. Boyle to the Earl of Dartmouth. Encloses following. Signed, H. Boyle. 1 p. Enclosed,
154. i. Governor Douglas to the Duke of Queensberry. Antigua, Aug. 27, 1711. Duplicate of letter of that date, q.v. Enclosed,
154. ii. Deposition of John Lindsay, taken before Isaac Royall and Herbert Pember, Justices of the Peace, Antigua, Aug. 23, 1711. Deponent was clerk to Lt. General Hamilton, who used to express himself with a great deal of venom and hatred against Genl. Parke, promising to provide for deponent when he succeeded his great enemy, Genl. Parke, in the Government *etc.* He often said he admired that the people of Antigua would suffer him to tyrannize over them. In his letters to his friends abroad, he termed him the Grand Monster, tyranniseing and tryumphing in Antigua, but that it

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could not hold long so, and that Genl. Parke was so puffed up since the Ministry in England was changed, that it was impossible for the inhabitants to endure him any longer, and that he expected by the next opportunity to hear that he was run or privately gon off said Island, or that a worse thing would befall him, and generally ended his discourses with his expectation of haveing the Government. When informed that Mr. Ayon and Lt. Worthington and some others who were General Parke's friends and assisted him when the assault was made, were not murdered, he expressed himselfe that he was glad they were preserved for the gallows, which they should certainly have if it lay in his power. He carryed deponent with him to St. Kitts and Mountserat before he went up to Antigua, at which Islands he encouraged and carressed all such persons whome he knew or declared themselves to be enemys to General Parke, whose friends were used with a great deal of indifferency and scorn by him, and few of them had any admittance to his person, or were used with common civility. Upon his arrivall at Antigua, he had many private meetings with the enemys of General Parke, where what private papers and letters that came to his hands that belonged to General Parke and that were taken out of the house where he was murdered, were exposed and handed about. Observing that deponent kept company with some of the Loyall party, the Lt. General often expressed himselfe to deponent his dislike thereof, by which means the enemys of General Parke became jealous of deponent, who was frequently reproved by the Lt. General for the same, soe that he was not employed in his private affairs, but one Thomas Kerby, Secretary of Antigua, a prime actor in the murther, and his Clerke wholly did the same, *etc.* Deponent being one day with the Lieut. Generall at the house of Dr. Daniell Mackinen, a principall actor in the murther, and where the Lt. General constantly resided, a certain common fellow came in and complained to him that his neighbour had called him one of the murdering doggs. The Lt. Generall in a passion directed him (tho' it was knowne he was one of the murtherers, and that he plundered severall goods out of the Generall's house) to prosecute the other, and that if he would come to him when he was in towne, he would do him justice. After this deponent being with the Lt. General at Nevis, and in a publick house expressing himselfe at the barbarity used to General Parke, so that he was left naked, the Lt. General haveing information of this, sharply reproved deponent for the same. *Signed,* Jno. Lindsay. 2½ pp.

154. iii. Deposition of Richard Buckeridge, Collector, Antigua, Aug. 23, 1711. At Dr. Daniel Mackinen's house, the

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Lt. General expressed himselfe in a passion to deponent, that some persons were about taking affidavits in relation to ye death of Generall Parke, but that they had better lett it alone, and that he should resent it, *etc.* *Signed*, Richd. Buckeridge. 1 p.

154. iv. Deposition of Dr. Goussé Bonnin, Antigua, Aug. 25, 1711. Summoned before the Generall Council at St. Johns, about March last, deponent was asked by the Lt. Generall if he knew which way Generall Parke came by his death. Deponent desired to be excused, for that it was not safe for him to answer, having already suffered very much, and had been lately threatend by severall on that account. The Lt. Generall said he should only put a few questions to him wch. should be no way prejudiciall to him, which questions being put, deponent answered the same. Mr. John Willett, one of the Council, desired deponent's answer to the first question should be minuted with his other answers, which was done after some debate. In the afternoon, deponent, being sent for again to answer something more fully, found the answer to the first question which was minuted to be quite rased out. When he returned his first answer, the Lt. Generall neither encouraged nor declared his protection to deponent, *etc.* *Signed*, Goussé Bonnin. 1½ pp.

154. v. Deposition of Charles Bowes, Serjeant in the company whereof Capt. Thom. Newell is commander, in Col. James Jones' Regiment. Antigua, Aug. 25, 1711. Taken before Thomas Morris J.P. and Richard Oliver J.P. A few days after the murther of Governor Parke, when deponent was wounded, and having to the utmost of his ability stood by the General, he fled, for fear of his life, incognito to Nevis, where by order of Lt. General Hamilton he was seized and sent up to Antigua, where he languished with his wounds, notwithstanding which Col. Jones sent him up to Monks Hill fortifications, and put him in a dungeon where he could not stand up, and where he was above two weeks, at last let out, when Col. Jones would have had him swear that Generall Parke had sold the Island, which deponent refused, for that it was false, afterwards was had before the Lt. Generall and Generall Council in St. Johns, when an affidavitt was read to him, which he took, but having seen an affidavit recorded in the Generall Council books as taken by him, he on his oath declares the same not to be the affidavit read to him and by him taken, for that he never heard General Parke tell him and others that if he would beat or insult the Gentlemen of the country, he would give for each of the persons so beaten a pistole, or anything like it, or of his promiseing a reward to whom should well thrash Perry and Scheurman, or his promiseing any indemnity to those that did

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it, or of his saying if he had but two companys which he knew in Flanders, he would soon drive half the Planters of the Island, or that they, the soldiers, were cowards for not beating the Planters, which he had so often ordered them. Deponent believes he might say that one Newgent soldier told him that the General said to him, why don't you thrash Edwd. Perry, it being spoken on a complt. made to the General by Newgent. Perry had grossly abused him. Deponent believes he might say that the General said that Scheurman ought to be well beaten, which was thus, Deponent going by a house where Scheurman was, Scheurman said to deponent (the General and Col. Newell going by at ye same time) There goes the General and that long dog your Captain. Deponent informing them of it, the General answered as aforesaid. When he was under confinement at Monkshill, Col. Jones told him that he must needs know what women came to the Generall, deponent being so long Serjeant of his Guard. He answered he knew not of any. Jones replied, that if he did not, he should lye there untill he would rott. *Signed*, Charles Bowes. 2½ pp.

154. vi. Deposition of Cæsar Rodeney, trustee and executor of General Parke. Antigua, Aug. 27, 1711. Being informed that Edwd. Chester, senr., had broke open General Parke's storehouse, joyning to Mr. Saverett's tavern, the day he was murthered, and had taken from thence a great parcell of barrs of iron, coco, white sugar and browne ozenbriggs, then in the custody of deponent, he demanded the goods of him. He refused to deliver them, for that he had given the Lieut. Generall credit for them in his books. *Signed*, Cæsar Rodeney. 1 p.
154. vii. Deposition of Richard Oglethorp. Antigua, Aug. 22, 1711. The morning after Mr. Michael Ayon went to Leeward in order to goe for England in the pacquet, being about March 2nd, deponent, being then Deputy Marshal, went to the house of Dr. Daniel Mackenin. He found Lt. General Hamilton in a mighty passion, and he severely checked deponent for not having acquainted him therewith; and said he would give £500 to know who carried him off or had a hand in it, and withall talked of sending a boate after him, etc. *Signed*, Richd. Oglethorpe. ½ p. [C.O. 152, 42. Nos. 77, 77 i.-vii.]

- [Nov. 6.] **155.** Petition of Arthur Slingsby to the Council of Trade and Plantations. Prays to be appointed Attorney General of Barbados, he having been appointed by Governor Lowther to fulfill that office till H.M. pleasure be known, upon Thomas Hodges' return to England. *Endorsed*, Recd. 6th, Read 15th Nov., 1711. 1 p. [C.O. 28, 13. No. 70.]

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[Nov. 7.]

156. Memorial of the Proprietors of New Jersey to the Council of Trade and Plantations. By severall letters they have received advices of the great disorders and confusions there amongst the people in breach of the peace and quiet of the Province and preventing the prosperity thereof. The causes and springs of these disorders are largely sett forth in a Representation of the Assembly, to which they referr. They have often laid before this Honble. Board (*cf.* Nov. 26, 1709) that the continuing Mr. Daniell Cox, Peter Sonmans and others in the Councill tended to promote those factions and divisions, and prayed that they might be left out, and men of justice and temper nominated to succeed them. Matters are now come to such a heighth that unless some speedy remedy be applyed, the Proprietors' interest will be lost, and the Province brought to utter ruine. *Pray* that Cox, Sonmans, Pinhorn, Hugh Huddy and Wm. Hall may be left out of the Councill, and Basse, who is notorious for many ill practises, may be dismissed *etc.* *Signed*, P. Docminique, E. Richier, Jno. Bridges, Cha. Michel, Fra. Michel, Jno. Norton, Joseph Ormston; for himself and George Willocks, Cha. Dunster, John Whiting, Robt. Michel. *Endorsed*, Recd. Read Nov. 7, 1711. 1 p. *Enclosed*,

156. i. Copy of Memorial of London Proprietors of New Jersey, Nov. 27, 1709. *q.v.* [*C.O.* 5, 970. Nos. 152, 153; and 5, 995. pp. 148—152.]

[Nov. 7.]

157. Affidavit by Capt. John Evans as to his *bona fide* purchase for £500 of the lands granted him by Governor Fletcher, 1694, (*v.* Sept. 4 *supra*); of his expenditure of £350 in clearing part of them, and the offer of £10,000 for them. *Signed*, John Evans. *Endorsed*, Recd. Read Nov. 7, 1711. $\frac{3}{4}$ p. [*C.O.* 5, 1050. No. 29.]

Nov. 7.
Whitehall.

158. Council of Trade and Plantations to George Granville, Secretary at War. *Enclose* extract from Governor Hunter's letter, Sept. 12, concerning invalid soldiers at New York, upon which you will please to receive H.M. pleasure, and communicate the same to us *etc.* [*C.O.* 5, 1122. pp. 444, 445.]

Nov. 8.
Whitehall.

159. Council of Trade and Plantations to the Lord High Treasurer. Request payment of Office expenses Christmas 1710—Michaelmas 1711, and for salaries of Secretary *etc.* 9 months, and of Commissioners $1\frac{3}{4}$ years overdue since Michaelmas. [*C.O.* 389, 37. pp. 24—26.]

Nov. 8.
Westminster.

160. Deposition of Michael Ayon. On Dec. 7 last Governor Parke sent for Capt. Joseph Rookeby of Col. Jones' Regiment and asked him why he was not at his post, seeing the country was in armes against him. Rookeby answered that he was not sent there to fight against the subject. Generall Parke replied, I hope you will support and defend the Queen's Representative when insulted, assuring Rookeby that he would not fire a shott against any person unless they first fired att him. Notwith-

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standing which Capt. Rookeby ordered his company who were then in armes not to fire a shott against any person att their perrill. Upon which Generall Parke suspended him, but Capt. Rookeby took no notice and went out of towne. Henry Smith then an overseer of a plantation, but now an ensigne in Coll. Jones his Regiment was in armes that day. He told deponent, if the murther was to be done againe, he would goe upon his hands and head a mile to perfect itt. Col. Jones made him an ensign in his regiment knowing this, *etc.* Signed, Michael Ayon. $\frac{3}{4}$ p. [C.O. 152, 42. No. 107.]

Nov. 10.
Boston.

161. Lt. Governor Tailer to [? *the Earl of Dartmouth*. cf. Feb. 27]. I waited upon Coll. Dudley the first night of my arrivall and delivered him your Lordship's letter, weh. was very acceptable. H.E. ord'ed a Council the next day and I was sworne. I have spoke to H.E. about the Castle, which my predecessor Coll. Povey had the command of, and which your Lordship writt in my favour about, but I have not the command of it as yet, but have H.E.s' prommiss. H.E. has allso recommended me to the Assembly. I make noe doubt but of a good agreement betwene us, for I shall in all respects be obedient to his commands. I begg to remind your Lordship of Mr. Secretary Granvell[s] report referring to my pay, *etc.* Signed, William Tailer. 2 pp. [C.O. 5, 898. No. 17.]

Nov. 12.
New York.

162. Governor Hunter to [? *the Earl of Dartmouth*]. On Tuesday last a French fisherman brought in to this harbour the poor remains of H.M.S. the *Feversham's* crew, which with the three transports loaded with provisions for the Expedition was cast away upon Cape Britton on Oct. 7th in the night. All the officers except the Lutenant and Master perisht, and only 48 of 150 sailors sav'd. Since the fatal miscarriage of the intended expedition our frontiers have been infested and two familys cutt off by the French Indians. I have putt them into the best posture I can in such poor circumstances as the Govt. at present is and shall do my best in that and every thing else for H.M. service. Encloses Address of the Council and Assembly for renewing the Expedition. If H.M. so pleases God grant it better successe, but it is necessary we have here more timely notice if anything is to be provided on this side. I know the winds prevented our last advices, for the Fleet arriv'd much about the time H.M. orders came to my hands. Sending this by an uncertain conveyance I shall trouble your Lordp. no further then to let you know that the affaires of H.M. Government go on at the same rate in the Assembly here as formerly and not the least glimpse of hopes of a Revenue or their ever being on a better foot by any means here. I shall indeavour to maintain H.M. right, let my sufferings increase never so much, *etc.* P.S. The men of the *Joseph* and *Mary* transports are all sav'd. The Master and 5 of the *Neptune* transport's men lost. Signed, Ro. Hunter. $1\frac{1}{2}$ pp. [C.O. 5, 1091. No. 27; and (duplicate) 28.]

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Nov. 12.
Boston.

163. Mr. Bridger to [*? the Earl of Dartmouth*]. Mr. Mico, factor to Mr. Francis Collins, has every year cut the full number of masts according to the contract with the Navy Board and has delivered only 3 shipp's loads. He has cut a great number of masts every year exceeding the number and dementions of the contract *etc.* There are 9 shipp's loadings due or 576 masts wch. should have been delivered yearly according to contract, wch. is a great disappointment to the service. All these masts are rotting in the River of Piscataqua, and it is to H.M. damage more than £17,000 at £30 per mast, and by Mr. Mico's workmen's impudent and unwarrantable proceedings has let everyone into H.M. woods, where they have cut many hundreds of masts, and this has been a long time practised, but hope by the due proceeding of the late Act of Parliament in that case made and provided [hope] I shall be able to give your Lordp. a good account thereof in a year or two *etc.* I begg that an order may be granted for my seizing all masts that shall be found cut above contract, and that such care be taken of those masts in contract that are good, as your Lordp. shall think most convenient, *etc.* Signed, J. Bridger. 2 pp. [C.O. 5, 898. No. 18.]

Nov. 13.
Boston,
New England.

164. Governor Dudley to Mr. Secretary St. John. *Refers to letters* of July 11 and Sept. 3. Since which by H.M.S. the *Squirrel* I have a letter from your Honour's office, accompanying certain goods with envoyce dated Aug. 2nd which were left behind at Portsmouth, to be sent to Mr. Nutmaker, Comissary of the Stores, *etc.* which I have disposed in store for H.M. further order. On Oct. 1st I received your Honour's letter of May 29 by Capt. Wade in H.M.S. the *Adventure*, on board of wch. were 100 soldiers that were on board the transports separated from the Fleet in their passage hither and returned to Ireland, the Fleet being gone home before her arrivall here, she is supplied with what Capt. Wade desires, and is returning home, upon whom Lt. Generall Nicholson returns. I most humbly pray your Honour to allow mee to represent my obedience to H.M. Instructions. The first commands 1000 able men from these Provinces, which I rayased to a man *etc.*, and with them were three score officers the best that could be found, besides Col. Vetch in command of the whole. The second Instruction requires the providing transports, provisions *etc.*, in obedience to which 20 vessels, brigantines and others were provided with four months and half full allowance of provisions (the instructions directing onely three months), and the vessells were in all poynts fitted, and beds for every two men, and a large Hospital for the sick, and all the carpenters in the adjacent towns impressed to rayse the flatt-bottomed boats to the satisfaction of the Admirall. In obedience to the third article referring to Pilots, letters to all the gentlemen in the severall parts of both Provinces were sent to examine what persons saylors had been up Canada River and orders to the Sheriffs to summons and bring them before the Admiral, with charts and mapps of the River, their Journalls and soundings in their passage thither, and I know of no man that was a sayler that

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had by watere seen Quebeck but what were delivered to him and proceeded to the number of 14 or 15 (except Capt. Southack) most of which were examined at their return, and the accounts they gave severally will be humbly layd before your Honour. The fourth commands a number of artificers, masons, carpenters, and smiths with all tools *etc.*, there were accordingly master workmen of all trades above impressed and delivered to Col. King, H.M. Engineer, and all the smiths near employed to make the axes, spades *etc.* from the receipt of the orders to the week the fleet sayled, and were sent aboard and the account taken by the engineers and I suppose sent home. In obedience to the fifth article, so much was sayd to the severall Councils and Assemblys that they readily came into ye service, and charge, notwithstanding the heavy burthen of the defence of the frontiers at the same time, and all imaginable care to conceal the design. In obedience to the sixth I alwayes kept good intillgence with the garrison of Port Royal, and at the Generall's direction sent a detachment of 100 men, the first of the forces raysed, who stayed there untill they were relieved by a garrison of British soldiers sent thither by the General from Spanish River where he last anchored, and Col. Vetch commanded the forces of these Provinces with officers under him to his satisfaction. In answer to the seventh, in peace we have no trade with the French at Quebeck, nor elsewhere, being forbidden by both the Crowns, much less in warr, however being long in hopes for such a day as this, I sent twice up the River of St. Lawrence to Quebeck for the exchange of prisoners to make pilots, and see the place, till Mr. Voderil forbid my coming that way about 5 years since. In one of those vessels Col. Vetch and my son William Dudley, who now served as a Lt. Colonel to Col. Vetch, were brought thither and tarried there 20 days, and made all the advantageous observations they could, and were now ready to do their duty in all things. In obedience to the eight(h), I had 120 Indians in the files, good marksmen and that had been in the service as scouts during all the present war. In obedience to the ninth, to put everything in order, all H.M. Governours concerned mett and unanimously agreed all necessary articles, *etc.* I humbly thank H.M. in the name of both the Provinces for her princely compassion to her good subjects in easing their charge as much as may be, and intimating the granting of lands and benefits there, upon the hoped success (articles x, xi, xii). The 13th commanded an embargo which was strictly enjoyned from Col. Nicholson's arrival till the fleet had been gone 20 dayes, and besides the staying our own shipping, I stay'd Mr. Le Ronde, an officer of Mr. Costabell, Governour of Placentia, who was with me upon exchange of prisoners, who is yet here. And besides all the Generall Assembly stamped £50,000 in bills of credit, and lent them for two years without interest to enable the merchants to supply the Generall with provisions and necessaryes and set a rate on all victualls below the ordinary price that H.M. forces might be reasonably supplied. Mr. Dummer, Agent, for this Province, will attend your Honour with accounts *etc.* I was

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alwayes a witness of General Hill's, and the Admirall's application and dispatch while the Fleet lay here, and humbly submit to the Divine Providence that orders all things, and onely pray, agreeable to the Addresses from all the Goverments, that H.M. will renew the Expedition the next year, to preserve us from the continuall insults of the enemy upon a long frontier of these Provinces of 200 miles consisting of open villages which demand 500 men for their defence, as well as to assert H.M. just right set forth in the Royal Instructions for the Expedition. I hope if Col. Nicholson depart not too soon some of the Pilotts will attend him to give your Honour satisfiaction in their ability to serve in the River of St. Lawrence, where they have often been. I humbly pray your Honour's favour to these poor distressed Provinces, and that my service here may be acceptable to H.M. *Signed, J. Dudley.*
 $3\frac{3}{4}$ pp. *Enclosed,*

164. i. Proceedings by Governor Dudley *etc.* (v. *preceding*) for obtaining pilots, June 13—July 23, 1711, concluding with a list of 13 that sailed with the fleet. These were recommended as skilful experienced mariners and having knowledge in the navigation of the River, having been trayned up to sea, and most of them masters of good ships for many years past, and have sailed up and down the River of Canada once at least, are men of estates and good livers in the Province; *e.g.* Capt. Thomas Gilbert commanded a ship of war in the expedition to Quebec by Sir W. Phipps in 1690 in a more difficult season of the year. Capt. Richard Harris, John Carlile and John Jenkins served in the same expedition. Jeffrey Bedgood was master of a sloop on a voyage to Quebec in 1705, John Bonner of a flag of truce in 1706. There is no intercourse of trade between this place and Quebec in peace, all the knowledge the people of this country have been capable of gaining of the navigation of that river is from draughts and the aforementioned Expedition. The Admiral whilest here was entertained at Capt. Southack's house, who by H.M. especial command was to attend the service of the Expedition in order to pilot them in the Massachusetts Province galley up the River Canada, and had his advice and nomination of persons most capable to serve as pilots, he having the best knowledge of such, and those named by him or others were commanded to attend the Admiral at his lodgings *de die in diem*, to the intent he might examine and enquire of their knowledge and to receive his commands for the service. Others besides those who proceeded thought capable of any pretence to the knowledge of the River were commanded also to attend the Admiral and accordingly did so, particularly Grant, Furgason *etc.*, and were supposed to have their stations assigned them, the Governour refusing to discharge any. It appears by the Honble. General Hill's letter that at the Council of War after the disaster befalling

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the Fleet in the River, there were but six of thirteen pilots called and examined. Capt. Gilbert and Capt. Harris, two of the upper rate, accounted by all among the chief both for knowledge and experience not being present or enquired of tho' near at hand, nor any of the pilots on board the transports, some of which are reputed very skilful. Upon a survey made by Captain Southack and the chief of the pilots of all the maps and charts of the coast and river that could be obtained after amendments and reformes by them made a number were imprinted off a plate the most correct and exact. Fifty of them were presented to the Admiral for the service of H.M. ships of war and the British transports and others of them disposed to the masters of the several transports of this Province.

Note. Capt. Southack is a skilful experienced mariner, very ingenious in the drawing of maps, has for many year(s) had the command of the *Province* galley in H.M. service, a guardship for the coast wherewith he is well acquainted especially in the Eastern parts and the entrance into the River of St. Lawrence. And the Governour directed lodging to be taken at Capt. Southack's house for the Admiral that he might be the more constantly attended by him and the other pilots. However upon the Fleet's sayling, Capt. Southack was left behind to put in execution orders given him by the Admiral. And was not with the Fleet at the time of the disaster. Also the Admiral at his arrival at Boston dispatched an order to the Captain of the *Province* galley then coming in from a cruise to be dressed and equip'd for the service of the expedition to convoy two of the British transports to New Yorke, from whence she returned but a few days before the sayling of the Fleet. In which time she could not be fitted to accompany them. But Captain Southack being on board the Flag when the Fleet were under sayle, received a Commission from the Admiral for the *Province* galley with orders to have her fitted to sayle to Annapolis Royall, there to take in some British officers marines and stores of war, and so to follow the Fleet which service demanded so long time to performe that off of Port Rosaway, Sept. —, he met the transports of this Province on their voyage homeward by whome he had intelligence that the fleet were come out of the River Canada, had lyen some time at Spanish River, and were returned back to Great Britain, which hindered his proceeding with a vessell of provisions under his care, and hapily prevented his runing into danger of being exposed to the enemy. Boston, Oct. 31, 1711. Read and approved by the Council and Assembly to be sent to Whitehall. *Signed*, Is. Addington. Secry. 12 pp. [*C.O.* 5, 898. *Nos.* 19, 16.]

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Nov. 13.
Boston,
New England.

165. Governor Dudley to Lord Dartmouth. Before this can come to your Lordship's hands, Generall Hill and the Fleet, and the Forces, late here and in Canada River, will be returned with the sorrowfull news of the disapoyntment of that Expedition. I am sensible that these Provinces of New York, Conecticut, Road Island, the Massachusets, and New Hampshire, have in all things obeyed H.M. commands for the service, and perticularly in the article of pilots, which is objected, from the first arrivall of Lt. Generall Nicholson the country was searched for every saylour that had gone up the River, *etc.* (*v. preceding*). They have since given accounts upon oath, which are covered to Mr. Dummer, who I have directed to attend upon your Lordship with them, *etc.* The disapoyntment will leave these Provinces in a very sorrowfull posture by the dayly insults of the partyes of the French Indians, which run in upon the inland frontiers, and do us mischief, and put us to continuall guards, and scouts, for the discovery of them. Upon which, as well as the unspeakable benefit that will accrew to the Crown of great Britayn, in the Naval stores, lumber, fishery, of all the North America, these Provinces are all humble petitioners to H.M. that she will please to revive the Expedition the next year, as by their Addressess, humbly representing their distress and poverty, which are sent by this conveyance. Lt. Generall Nicholson comes home with this shipp, who has the knowledge of everything relating to these Provinces, *etc.* Col. Tayler is well arrived here with H.M. Commission for Lt. Governour, he is very acceptable to mee, and he shall want nothing in my power for his support, but upon this occasion I shall humbly acquaint your Lordship, that at my comeing hither H.M. commanded the Assembly to provide a house in Boston for the Governour, and a salary to be established for his support, but all the industry and application I could use, I never obtayned either, nor at this time is there any establishment for a Governour, Lt. Governour, or Secretary, which are the only officers reserved to H.M. nomination and appoyntment, but they do annually make their present to the Governour of £300 sterl. and no more, and if my own house and estate were not near to support me, what I have of this Province would not find me house and bread to eat. I hope when greater hurrys are over, H.M. will be pleased to have a gracious consideration for the establishment of a proper support for her servants here; in the mean time we will do our duty in H.M. service. I desired the Assembly to consider of a proper support for Col. Tayler, which is now before them, *etc.* I most humbly pray your Lordship's favour to these distressed Provinces, which their Agent and papers will remonstrate. *Signed,* J. Dudley. 2 pp. [*C.O.* 5, 898. No. 20.]

Nov. 13.
Whitehall.

166. Mr. Popple to Mr. Bridger. *Reply to July 23 and Aug. 31.* The Council of Trade and Plantations command me acquaint you that when their Lordships represented to H.M. their opinion that you should have an encrease of salary, it was upon account of your being assisting in instructing the Palatines in the method

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of manufacturing tar. But their Lordships are very much surprised to find you have declined that work, and refused to go to New York upon Col. Hunter's directions to you, pursuant to H.M. letter in that behalf. Whether the Palatines went upon the expedition to Canada or no does not appear to their Lordships, but by the progress their Lordships are informed the Palatines have made in preparing of trees, they are in hopes they will succeed in the undertaking they are employed in. [C.O. 5, 913. p. 361.]

Nov. 13.
Boston,
New England.

167. Governor Dudley to the Council of Trade and Plantations. I have endeavoured these 9 years last past while by H.M. favour I have had the honour to command these Provinces, at all times to lay before the Lords Commissioners the state of these Provinces, *etc.* We have in ordinary but one safe conveyance for letters *etc.*, which is by the convoy of the mast fleet, who are well arriv'd here, and will proceed from hence in about six weeks, by who I shall cover to your Lordships the Acts and accounts *etc.* Since my last accounts I received one letter from the Board, wherein their Lordships acquaint me they have written to H.M. Commissioners of the Customes, referring to a scout-boat to meet our merchant-shipp upon the coast, *etc.* The Commissioners of the Customes have well provided Collectors in all the Provinces, whom I shall alwayes assist in their duty, this further provision of a scout-boat is only wanting in my opinion. The Act of Parlament referring to white pine trees I have received and published in due form, and I hope Mr. Bridger will do his duty therein. The present state of H.M. Castle and Forts, and the expenditure of powder and stores I shall cover to your Lordships, as well as to the Board of Ordnance by the mast fleet, and humbly hope your Lordships will obtayn H.M. favour for a further supply of powder and balls for small armes, the expence of which is constantly very great in the inland frontiers as well as in the Castle and Forts, tho' I take all the methods of good husbandry in my power. All is done here referring to the regulation of ye coyn that I have at any time been commanded in trade, and Courts of Justice, and truly we are so far reduced by returns for Great Britayn, that we have no money left but the bills of credit of these Provinces, which are so well established that they are a medium of all trade exchange, and purchase everything as well as pieces of eight, or any other forreign coyn in use amongst us. The warr is the onely hindrance, to the getting of tarr and other naval stores, which yet in quantity and quality is reformed and advanced to a great degree since my coming hither, and will be to a perfect supply of great Britayn if peace be restored. I humbly propose Mr. John Wentworth a man of estate and loyalty, to be added to the Councill of H.M. Province of New Hampshire, the fees and duties for his warrant being taken care for by his correspondents in London as their Lordships directed me. The inhabitants of this Province of the Massachusetts have been disturbed in their tenure and improvement of lands by the inhabitants of Conecticut and Road Island

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Colonys, upon pretence of the division line between us, and they have acquainted me that they have represented to your Lordships the reasons of their challenge. I humbly pray your Lordships that when any Representation is made thereupon, this Government may be advised and directed to answer before any commands be given therein from H.M. Your Lordships have before this time the sorrowfull account of the disaster of H.M. fleet in their entrance into Canada River. I am well assured that the papers sent home, and which will be offer'd to your Lordships by Mr. Newman, the Agent for this Province, will demonstrate that there was nothing commanded here but what was with all readiness obeyed, and the Governments are unanimously humble petitioners to H.M. to revive that just and honorable resolution last year taken by H.M. for the reduction of Canada, thereby to make H.M. the sole possessor of all the North America. Lt. Generall Nicholson comes home in this conveyance, to whom everything is well known, that refers to these Governments and to the Expedition, to whose account I desire humbly to be referred. The article of Pilotts, is the great objection. I know not how the pilots behaved themselves, but am well assured that the thirteen persons, that were sent were master saylors men of sobriety, and artists, who had all been up that river in services, and expeditions, and that there are no more nor other in these Provinces, and attended a month before the fleet sayled to be examined and further instructed with charts, and platts of those coasts and the River of St. Lawrence, *etc.* Signed, J. Dudley. *Endorsed*, Recd. Dec. 28, 1711. Read Jan. 14, 171 $\frac{1}{2}$. 3 pp. *Enclosed*,

167. i. Abstract of Journal of proceedings of the Governor, Council and Assembly of the Massachusetts Bay in obedience to H.M. commands for assisting the Expedition against Canada, June 8—July 24. *Endorsed*, Recd. Dec. 28, 1711. 13 pp.

167. ii. A memorial of proceedings for obtaining pilots for the expedition. A version of part of No. 164 i. *Endorsed*, Recd. Dec. 28, 1711. 10 $\frac{1}{2}$ pp. [*C.O.* 5, 865. Nos. 73, 73 i., ii.; and (*without enclosures*) 5, 913. pp. 363—368.]

Nov. 13.
Whitehall.

168. Council of Trade and Plantations to the Lord High Treasurer. *Quote* Governor Hunter's letter (Sept. 12) concerning Palatines and trees prepared for tar *etc.*, and bills drawn by him therefor, *etc.* [*C.O.* 5, 1122. pp. 446, 447.]

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Whitehall.

169. Same to Governor Hunter. We are now to answer your letters of Nov. 28, 1710, May 7 and Sept. 12, 1711. We laid the last year before H.M. what you then writ in relation to the obstinacy of the Assembly of New York in not settling a Revenue for the support of that Government, whereupon a bill was then ordered to be brought in to the Parliament here, for raising and appropriating such a Revenue, but the Parliament rising before that bill could be perfected, nothing was then done in that matter. We have now again laid before H.M. what you

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write upon the same subject (Sept. 12), and since the Assembly of New York persist in refusing to grant such a revenue as usual, for the support of that Government, we doubt not but proper measures will be taken here for fixing that matter for the future. As to the Assembly's pretence that the Council cannot amend a money bill, it is groundless and will not be allowed of here, the Council having an equal right with them in granting of money, there being nothing in H.M. Commission to you, under the Great Seal of this Kingdom, to the contrary, by virtue of which Commission they only sit as an Assembly, and therefore you will do well to acquaint them herewith, that they may no longer insist upon what is so ill grounded. It was a wrong step in the Assembly to make a bill for the disposing of the stores at Albany, which they had no right to, for when any money is given to H.M., and appropriated for buying of stores, and the money accordingly applied, they ought not by a subsequent Act to pretend to divert it to another use. This was never done by the Parliament here, much less ought the Assembly to assume the power of disposing of such stores as had been sent over by H.M., which is such a presumption as is unrepresented in any other Assembly in America, and therefore the Council were very much in the right not to agree to the same. You have done well in endeavouring what in you lies to heal the divisions and to reconcile the animosities between the parties there. And we hope that by your prudent behaviour, you will in a great measure effect so good a work. We have laid before my Lord High Treasurer what you write in relation to the progress made by the Palatines in preparing of trees for the production of tar, and when we know what shall be ordered thereupon, we shall not fail of giving you timely notice thereof. And as you take notice that besides the tar already made, there are kilns ready to set on fire, so soon as casks can be provided for it, we desire you to inform us how and out of what funds those casks are provided. We are glad to perceive that the Fort the French were building in the Onandage country is demolished, and we hope that by your conferences with and prudent management of those Indians, you will be able to keep them so steady in H.M. interest that they will not permit the French to attempt the building of another Fort, or to reside amongst them. The want of presents for the Indians will, we doubt not, have been fully supply'd by those Col. Nicholson carry'd over with him. We have laid before H.M. what you write in relation to the Invalides at New York, and shall give you notice of H.M. pleasure thereupon, as soon as it is communicated to us. We have had under consideration what you write relating to the Jerseys, and are endeavouring to remedy the inconveniencies you complain off from the obstinacy of some of the Council. *P.S.* We desire to know where the staves and hoops for the tar barrells are provided, and what those barrells cost when made. [*C.O.* 5, 1122. pp. 448—451.]

Nov. 13.
Whitehall.

170. Council of Trade and Plantations to the Queen. *Quote* those passages in Governor Hunter's letters of May 7 and Sept.

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12 which describe the proceedings of the Assembly of New York and their refusal to raise money for the support of that Government. *Conclude*: This being the state of the difficulties the Governor has met with in relation to the procuring a Revenue for the support of that Government, and we having reason to beleive from their proceedings that they are not likely to settle such a Revenue, we humbly offer that provision be made by Parliament for that purpose. *Autograph signatures.* 4 pp. [C.O. 5, 1084. No. 49; and 5, 1122. pp. 452—456.]

Nov. 13.
Whitehall.

171. Council of Trade and Plantations to Charles Whitworth. H.M. having been at great expence in sending over to New York and subsisting there a considerable number of Palatines in order to their being employ'd in the production of naval stores, and we having thereupon endeavour'd to get the best information we could of the method of making tar, we have received two accounts of the manner how the same is done, which differing in some particulars, we send you copies, and desire you will give directions to some proper person to inform himself in the most particular manner he is capable of the methods used in Russia, particularly how the trees are prepared, and how long they stand after they are prepared, etc. [C.O. 5, 1122. p. 457.]

Nov. 15.
Lyme Street.

172. R. Tryon to the Council of Trade and Plantations. *Prays* for report upon Mr. Skeen's petition (Sept. 28). I hope no attempts against his character can have any wait with your Lordships till you have heard what can be offered in his justification, etc. *Signed*, Rowld. Tryon. *Endorsed*, Recd. Read Nov. 15, 1711. 2 pp. [C.O. 28, 13. No. 69; and 29, 12. p. 375.]

Nov. 16.
Nevis.

173. Council of Nevis to the Council of Trade and Plantations. We do hereby certify that Lt. General Walter Hamilton hath on all occasions during the time he had the honour to command as Governor in Chiefe, Dec. 1710—July 1711, acted with all candour, justice and honour; that he with utmost vigour did persue the enemy from one Island to the other, which were then daily threatned to be attacked; that he hath oppressed none, nor given any person any just cause (that wee know of) to complaine, but by a diligent application to the bussiness of that honourable post did keep all quiet, easy and unanimous here; that he so managed matters with the Generall of the French Islands by discountenanceing Irish Papists that usually betrayed the affaires of the Leeward Islands to the enemy, and by suffering none to command Flaggs of Truce but men of honour and reputation that would not trade with the enemy: that they respected him with an awfull regard, which tended much to H.M. honour and service, and was a great satisfaction to Her Protestant subjects of these Islands. *Signed*, Dan. Smith, Richd. Abbott, J. Bevon, Aza. Pinney, Law. Brodbelt, Jno. Richardson, Rob. Eleis, Mich. Smith. 1 large p. [C.O. 152, 42. No. 80.]

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174. Sir Thomas Laurence to the Council of Trade and Plantations. Representation on behalf of Christopher Vernon, of Maryland. Mr. Vernon did about 8 years agoe purchase some land of the heir apparent of Thomas Knighton decd. for £95 sterl. and 4000*lb.* of tobacco. Part of the said land had been formerly bought of Knighton by John Hall (who is at present a Member of the Councill of Maryland), and he being unable or unwilling to make good his contract for performance of which he entred into bond to Knighton to the value of 61000*lb.* of tobacco, did by his interest and power, and his false suggestions (in order to make void Vernon's purchase) prevail upon the Assembly in April, 1707, of which he was then a member, to pass an Act *for confirming the last will of Thomas Knighton decd.*, though no such will was ever made by Knighton, as Mr. Vernon hath witnesses to prove. The said Vernon had before cast Hall in two fair tryals in the Provincial Court, where he was then one of the Justices, and also in one other action after the passing of the said Act. Whilest Mr. Hall was soliciting the passing of the Act in the Assembly, Vernon endeavoured by his Attorney, who was a member thereof, to have a hearing against the passing of it, but was not allowed the same. The Act is not only repugnant to an Act of Parliament of England for preventing of frauds and perjury, but also contrary to two Acts passed in Maryland *for quieting possessions, and preventing vexatious suits at law.* Mr. Vernon understanding that Hall is endeavouring to get the said Act confirmed here, which if obtained will be the ruine of him, humbly prays your Lordshipps to defer the making any report untill he shall be heard by your Lordshipps, in order to which he is preparing to come to England. *Signed, Thomas Laurence. Endorsed, Recd. 16th, Read 25th Nov. 17¹¹₁₂ (sic). Holograph. 1 p. [C.O. 5, 717. No. 47; and 5, 727. pp. 308—310.]*

Nov. 16.
Boston.

175. Col. Vetch to the Earl of Dartmouth. My last to your Lordship was of Sept. 10th from Spanish River by the *Leopard* man of warr, wherein I only hinted in short att our misfortune in Canada River, knowing your Lordship will have a full account of that affair from severall hands. I sent likewise a copy of my letter to the Admirall after our desaster, which I likewise herewith transmitt by Generall Nicholson, for the other may be miscaried. I shall not in this give your Lordship the trouble to relate anything concerning that tragecall desaster, since the pilots and others who I understand are going for Brittan will fully inform your Lordship and the Ministry of all that affair. *Refers to Journal enclosed.* What I am now to trouble your Lordship which [*? with*] is a short account of the state of the garison of Annapolis Royall under my command together with the inhabitants. *Refers to enclosures.* As soon a[s] Generall Hill had ordred thiss detachment to be made, he both spoke and wrote the Admirall to provide for their transeportation to Annapolis, and victualling. The Admirall accordingly by his agent of transeports destributed them amongst all the New England transeports that were

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capable to receive any, which were about 16 in all. But after wee had been some days att sea being separte or rather losing the convoy designedly, severall of the transeports, who had on board to the number of near 150 were carryed to Boston, together with the company of Indians, which the Generall had ordred me to detain att Annapolis, untill I should see if Major Livingston with ane hundred of the Five Nations of Indians in New York Government could be gott to relive them. But the Governour of New England knowing nothing of Generall Hill's order about his Indians had disbanded and dispersed before the Genl's. letters or mine relateing to them came to his hand. I went to Annapolis Royall with the *Enterprize* man of warr and about 12 transeports with some of our garison and the New England troops that were upon the Expedition. And after haveing exchanged the Garison and placed Major Cawfield commissioned by General Hill to be my Deputy Governour of Annapolis Royall, I embarqued the old garison which consisted of about 200 of the troops raised in New England and about 40 marines, all the rest with their officers having been sent of some time befor to joyn us att Quebeck. I was under a necessity to victuall the old garison to Boston with provisions from the Fort. The Admirall having desiered me to cause the Commissary of the New England troops who were under my command to victuall our garison troops as they did there own men untill there arrivall there, and for this reimbursement gave me ane order upon the Agent Victualler att Boston to repay the New England Commissary. But as to the old Garison that was to be transeported to Boston, the said Agent cannot he says medle with. So I have [*? told*] the Agent for the garison to charge it amongst the other contingencys of the garison. Thiss I thought fitt to acquaint your Lordship withall, in case any objection should be made to that artickle in the accounts. I ordred the Engineer to carry on the reparations of the works, which are in a pretty good forwardness with all possible dilligence whilst the season of the year would allow of the same. During my stay there severall of the inhabitants came in and took the oath of aledgance to H.M. upon the proclamation by Generall Hill and Admirall Walker sent thither and dispersed amongst them in French. There came likewise in to me two severall messages by two severall Indians att a time who sayd they came in the name of the Indians nearest to the garison, and sayd that as they heard wee had promised the French all freedom of trade and priviledges as the English themselves, if wee would allow them the same liberty as they had from the French garison, and sell them all sorts of goods for their furs particularly poudre and small shott without which they could not subsist, they would never go no more to Canada. To which I answered them that while they behaved themselves peaceably they might come with as much freedom and safety to us as they did to the French : and doubted not but they would find all sorts of goods in a litle time cheaper then they had them from the French : as to poudre and shott, I had not allowed the merchants to bring any to sell, untill I see the country more

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peaceable, but told them if I found they would continue peaceable and trew to the Queen of great Brittain, they should want for nothing. Thiss submission of the French together with the message from the Indians being I know the effect of their belief Canada would be taken, and then they would have no retreat, but as soon as they hear of our disaster, and have had fresh orders from Canada, I doubt not but wee shall have all the force they can raise both of French and Indians about our garison early in the Spring, if not sooner, so that I give no trust to them, and have in my Instructions to the Deputy Governour cautioned him of the same. *Refers to enclosure.* After having done all that could be done att that juncture, I came to thiss place both to dismiss the New England troops that were under my command together with the old garison, which was to be cleared of here, and to hasten some part of the new garison thither from hence. But the weather hath been so excessive stormy ever since my arrivall that it hath not been possible for them to gett thither, though they were sayled befor my arrivall here (I pray God wee may have a good account of them). I shall endeavour with all possible dilligence to gett a company of some Indians under Major Livingston to compleat the garison, but fear shall not be able to gett any of the Five Nations, since the French Indians have already begunn to committ hostilitys one that side. I hope by the mast convoy to give your Lordship a more full account of all affairs relating to the garison then I cann now, Generall Nicholson being to sayle so soon. I some time since transemittted home to your Lordship and the Ministry a proposcall for forming the troops and officers in the garison of Annapolis Royall unto a Regiment, which as it would be no more expensive to the Crown, there being both the number of troops and officers to compleat a regiment, and as it would be vastly more advantagous to the service then as they now are, for besides the many jarrs that happens betwixt the officers and cors with relation to preceedency and command, which may some time or other prove [?] to the service, there is not that care taken of the men, nor indeed cannot be as when they every one have their particular and respective charge in companys and a regiment: and another great unconveniency is with relation to recruiting the garison: when men either dy, desert or are killed, there cann be no method taken to recruit them, unless they were formed unto companys and a regiment. Then some officers might be sent every year to Brittain to recruite there being none had in thiss country. I would intreat your Lordship's favour in this affair, and that I may have the honour to command the Regiment: and the rest of the officers according to their severall ranks, *etc.* Wee had a great many dyed thiss year past, but as your Lordship may observe by the difference of the number drawn for both with regard to pay and provisions, I never drew for any save the effectives upon the place; and as it is impossible for thiss garison to subsist without H.M. allowing them provisions gratis besides there pay, untill the country be for some time peaceable, so I assure your Lordship that I shall take all care imagineable that

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H.M. be putt to as little expense with the garison while under my command as the absolute necessity of the service will allow of; *etc.* I intreat your Lordship's favour with my Lord High Treasurer that the Bills may be punctually payed: and if there be anything either with regard to the form or matter of the accounts that is amiss, I begg your Lordship's commands with regard to the same. This comes by Generall Nicholson, who will more fully informe your Lordship of all the affairs both of Annapolis Royall and the whole Brittish Continent, over all which his zeall to serve his Sovereigne and country hath been without a parallel, and particularly these three years last past in which his vast fatigue and matchless generosity hath been verry conspicuous to all whom he had to doe, *etc.* *Signed, Sam. Vetch.*
 3 pp. *Enclosed,*

175. i. Admiral Walker to Col. Vetch. I thanck you for your caution concerning the French pilot, but I never intended to trust him any farther then I could throw him. I am satisfyed with what you propose of standing to and lying off Cape Britton, and in case of a fog when you hear my guns to fire as you say a gunn every two minutes till I am joyn'd by you. *P.S.* Enclosed I send ye signalls of the crusers that you may know them if you meet them. *Signed, Hovenden Walker.* Off Cansa, Aug. 8, 1711. *Copy.* $\frac{1}{2}$ p.

175. ii. Col. Vetch to Admiral Walker. Cape Gaspée. Aug. 26, 1711. I could not excuse myself from giving you the trouble of this line, with my humblest advice that befor you send away the *Saphyre* you would be pleased to consult once more with your captains and pilots with relation to our proceeding to Quibeck. As to the late fateal disaster that hath happned, it cannot in my humble oppinion be anyways imputed to the difficulty of the navigation, but to the wrong course wee steered, which most unavoidably carry'd us upon the north shoare. Who directed that course you best know: as to the navigation from hence to Tadousac, it was never thought upon to be any difficulty att all, more then to return to Cape Brittonne: and when it shall please God wee are there, let all the transeports proceed first, and by sending 3 or 4 meats or midshipmen out of every man of warr to be each of them putt aboard of different transeports in order to take exact notice of the difficultys of the passage: and causeing buoy them out as they go along: I doubt not but the passage will be made verry practicable for the men of warr: and when once wee are gott up to the Toune, I look the greatest part if not all the difficulty to be over. I doubt not but Generall Hill and all the Collonells will be oppinion that wee have as yett force enough left to reduce the place, and as our returne back without any further attempt would be a vast reflection upon the conduct of this affair (the

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averseness and unsufficiency of the pilots being known before wee left Boston) so it would be of a verry fateal consequence to the intrest of the Crown and all the Brittish Colonys upon thiss Continent. Sr. I hope you will pardon thiss freedom : which nothing but a trew zeall and concern for the honour and intrest of my Sovereigne and Country would have prevailed with me to have taken with you. *P.S.* I presumed some time ago to give you a caution in a letter I wrote you with relation to your French pilots. I wish they may have no hand in our late disaster. *Signed, Sam. Vetch. Copy. 1 p.*

175. iii. General Hill to Col. Vetch. From on board the *Windsor* in Spanish River thiss 13th August, 1711. In answer to your letter of the 11th of thiss month, I had some dayes before made a detachment of 350 private men, with a proportionable number of officers to garrison H.M. Fort of Annapolis Royall, and appointed a Deputy Governour, an engeneer, two bombardiers, 4 gunners, 6 montrosses, and a sufficiant quantity of ordnance stores, as also one company of New England Indians for scowring the woods *etc.*, which Indians you are to take with you, and to cause them to be subjected in the same manner as H.M. regular troops till farther orders, and the Admirll. having ordred the *Saphire* a 40 gunn ship to attend the garrison, I doubt not but hee has given the necessary orders to hir Commander. I agree with you about preserving the armes of the New England forces, and shall not fail to write to the Governour of New England upon their arrivall there to cause their armes to be secured and kept in good order till H.M. farther pleasure be known. As to the marines that may now be in the garrison, or which you may meet with in the *Province* gally on your way to Annapolis, I desire you will order them to be imbarqued on board H.M.S. *Enterprize*, in order to their being sent by the mast convoy to England, *etc.* *Signed, J. Hill. Copy. 1½ pp.*

175. iv. Col. Vetch to General Hill. *Proposes* that a company of the New England Indians now under his command "be detained att Annapolis untill Major Livingston (now upon command with Generall Nicholson) bring a company of Mohoks to relieve them. I also intreat your Excellency's favour with the Admirall to appoynt a man of warr to attend the garison to keep the communication open with Boston, from whence we have all our provisions, so if a privateer of 10 gunns lys att the Gutt wee are intirely blockt up," *etc.* *Signed, Sam. Vetch. Spanish River, Sept. 11th, 1711. 1¼ pp.*
175. v. Col. Vetch's Journall of a voyage designed to Quibeck from Boston in New England in July, 1711. Upon Monday the 30th July I left Boston about 8 o'clock

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in the morning att which time the whole fleet under the command of Sir Hovenden Walker as Admirall who was aboard the *Edgar* with the Union Flagg att the main-topmasthead were under sayle and gott without the Brewsters. I went directly aboard the Flagg, and carry'd one Capt. John Bonner who was appoynted to be his pilot for the said Expedition : who being verry unwilling to go occasioned me a great deall of trouble to gett him along with me : after having delivered him to the Admirall and concerted a method to gett some marines and stores of warr from Annapolis Royall, I went on board the *Windsor* and waited upon Generall Hill, where having concerted with him the necessary orders for the marines and stores being embarked aboard such ships as the Admirall should order to bring them after us, and delivered the said orders and letters to the Deputy Governour of Annapolis Royall to Mr. Capoon, Lt. to the Company of mattrosses att Annapolis Royall, who was to have the charge of said stores : I went and acquainted the Admirall with the same, and so went aboard of the ship *Dispatch* friggatt, in which I was to make the voyage. The wind being then fair, in the evening wee made ane easy sayle and so wee continued to doe for severall days : the wind still favourable and moderate : the flagg bringing frequently too, untill the heavy transeports came up, upon Aug. 3rd, the fleet being then as wee judged abreast of Cape Sables. The Admirall bringing too for the ships that were astern ; he sent the Lieutenant of the *Swiftsure* with their boat to desier I would go aboard and speak with him, which I immediatly did, as soon as I came aboard, the Admirall told me he had a peice of service to propose to me which he doubted not but I could verry well perform if I would undertake it, and which would be verry much for the good of the service, if I would undertake it. I answered he might be assured there was nothing I was capeable of but what I would readily doe to forward H.M. service and more particularly the present Expedition in which I was so much concerned. Then he told me that I having some knowledge of the coast, but more particularly of the River St. Laurence, and where the difficultys were, and the friggatt I was aboard of being about 300 tunns mounted with 24 gunns sayling tolerably well was a proper ship to lead the fleet, and if I would pitch upon three small proper vessells that sayled well to attend upon me, he would give me directions in writting what I should doe, that so by keeping about a league ahead of the fleet with one of the tenders upon each bow about a mile ahead of me and one right ahead, should not only poynt out the fleet their way, prevent their running into any dangers, but by the three small

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vessells when wee were to anchor to make out the anchorage for the three divisions, those vessells carrying two of them pendants of the colour of the two broad pendants that led two divisions of the fleet, and the third a Jack flagg att the maintopmasthead to mark the flag's division : as is seen more att length in the flagg's Instructions (*enclosed*) : after having received the said Instructions from the flagg and orders for the three small vessells to attend me, I went immediatly aboard my own ship, and sending to the said three vessells there orders, I [*accordingly with these ?*] three attending me made sayle [*? and went a*] head the Fleet, keeping att the distance abovesaid. The Flagg having [*? sent*] to me as a [*pi*]lot a Frenchman he had brought with him from Brittain, whom he told me was a verry good pilot for both coast and river, which indeed the fellow did pretend to be. Upon Aug. 8 when wee were abreast of Cancer, the Flagg sent his boat aboard of me for thiss pilot, whom I accordingly sent him and wrote to him att the same time that he was of no use to me, for I found him to be a verry ignorant fellow ; and I feared he was a rogue, and therefor advised him to have no dependance upon him : for which he afterwards thanked me (*encl. 1*). The weather being then foggy, I proposed to the flagg to runn ahead and make Cape Brittoune, and so ly of it to let the fleet know when to steer away for St. Pauls, and proposed to fire a gunn every two minutes, as soon as the Fleet came so near us as to hear their fogg signalls. Accordingly wee proceeded to Cape Brittain. The Flagg having sent me the cruiser's signells to know them by. The weather proving clear two three days after this wee meet the three cruisers *Saphyre*, *Chester*, *Leopard* : the *Saphyre* two days befor the others : who came to us near the Isle of St. Pauls : to which Island I went aboard the Flagg and discoursed him with relation to the voyage up the river, att which time he told me the *Saphyre* then to be commanded by Capt. Rouse (who was then exchangeing ships with Capt. Cockburn formerly in the *Saphyre*) being the smallest friggatt in the Fleet should likewise go ahead the Fleet along with me : and proposed to me to go on board of her : I told him all my stores and baggage being aboard the *Dispatch* it would be too much trouble to remove in so stormy blowing weather ; so I continued aboard the *Dispatch*. The next day he sent me in writting orders that when he would have me go ahead he would make the signall mentioned in the said Order herewith transmitted : but never after made any such signall : but about two days after, the Lieutenant of the *Saphyre* came aboard and brought Capt. Perkins the master of the vessell orders from the Flagg to obey Capt. Rouse, and brought

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att the same time orders from said Rouse to observe such and such signalls : the said Lieutenant brought the said papers and shewed them me, and told me that the Captain expected I would come aboard his ship : I told him I had excused myself of that to the Admirall : so I never after had any more instructions or directions from the Flagg. The wind being att thiss time fair, wee steered for the mouth of the River, but upon the — about 12 att night the Admirall made a signall to tack ; which accordingly most of the fleet did (some being farr ahead and to windward, they could not hear the signalls) and for about six hours wee runn back directly to the great surprizall of all the fleet : and which indeed proved the accedentall cause att least of all our misfortunes : for loseing so much time of the fair wind, which would have carried us onto the River. The wind comeing about just as wee came to the mouth of the River, oblidged us to putt into Gaspée harbour, with a wind which had wee gott into the River, would have been verry fair for us. I went aboard of the Flagg while wee were beating of the mouth of the River ; and in discourse asked him what was the reason of his tacking and standing back two or three nights ago : he told me in these words, it was a whimm of Captain Paddon's and old Bonner for fear, as they said, of some shoal of the Isle of Anticosty. Next day wee went into Gaspée harbour, where wee found a French ship makeing fish, which they burnt, not having time, I suppose, to bring her off. Wee anchored there about 40 hours : and then the wind offering fair, wee all weighed and turned out, it being verry late in the night before some of the sternmost ships gott out ; as to the particulars of the winds, courses and currents I shall not here medle withall, that being the masters' and pilots' province, as well as the particular circumstances of our desaster, which I suppose will be by most of them exactly layed befor H.M. and the Ministry, only thiss much I doe say, that Col. Dudley and Capt. Perkin, Commander of the *Dispatch* friggatt where I was aboard will attess how uneasy I was att the course the Flagg steered that night the disaster happned : and that I often told them that I wondred what the Flagg meant by that course, and why he did not steer away west and west and by south. However, wee were so cautious as to keep astern by which wee escaped the missfortune that happned to severall : all that I cann say upon the matter is, that had the Flagg continued to let me go ahead of the Fleet, as I did for some time with the small vessells one head of us, it would have been almost impossible thiss disaster could have happned : for as wee would have never steered that course unless positively commanded by the Flagg so to doe, so the small vessells

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that would have been ahead would have given me sufficient warning and I consequently the Fleet to avoid the danger. Upon Aug. 25th, being three days after the desaster, most of the Fleet being close in with the north shoare wee see a great many signalls aboard the *Windsor* where Generall Hill was : one of them being to speak with me, upon which I caused immediatly hoist out our boat, the sea being extreamly rough, when I gott aboard the Generall, which was with much difficulty, I found there was a generall consultation to be with relation to the late disaster and our proceeding. Here it was I meet with the first certain account of the late fateal desaster : for though wee had heard some firing of gunns that night, which wee did conclude to be ships near the shoare, yett wee did not untill that day know that there were any totally lost. I confess the account I had on board of the Generall of thet terrible trajedy did extreamly surprize and affect me : the Admirall and most of the sea-captains and some of the pilots being then aboard the *Windsor*, the Generall desiered the Flagg and sea-captains to consult about our proceeding up the River (that being their Province) expressing att the same time both a great concern for the late misfortune and a great deall of zeall to proceed, not doubting but wee had still force enough left to effectuate the designs, all the Collonnells of the land forces being likewise ther present seemed to be of the same oppinion. As to the particulars of the consultation and examination of the pilots I shall not enter into, knowing that will be transemitted more exactly then I cann pretend to : all I shall say as to that affair is, that while they seem'd to make the difficulty of the navigation so great, I told the Admirall that Sr. William Phips went up 20 years ago with 40 sayle much later than wee, for he did not arrive before the place untill Oct. 9th : and gott all up safe : though there was not one man aboard the fleet (as I am informed) ever was there before : upon which the Flagg asked me, if I would undertake to carry up the Fleet : I told him I never was bredd to sea, nor was it any part of my Province : but I would doe my best by goeing ahead and shewing them where the difficultys of the River was, which I knew pretty well. As soon as it was resolved to turn back, the Admirall ordred the *Saphyre* to make ready to go with an express to Boston, to be from thence sent to Lieutenant Generall Nicholson to prevent his crossing the Lake with the army under his command. The Admirall said also he would go with the Fleet to Gaspée, there to consult further about attacking Placentia : as soon as I had gott aboard my own ship, and seriously pondred the vast disadvantages and fatall consequences would attend such a [*? retreat I wrote a letter to ?*]

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the Admirall that verry night which I sent him early in the morning, (*v. encl. ii.*) : wee stood along to Gaspée and from thence to Spanish River, where after some beating in blustering weather, the fleet all gott in : upon the — of September there was a Councell of warr called to consult about attacking Placentia : but as I had allways declared my oppinion that unless some of the heaviest men of warr would resolve to go in and break the boom, it was but in vain to offer to go thither so late in the year, so accordingly that attempt was laid aside *etc.* So upon Sept. 15 the whole Fleet sailed from Spanish River, the Admirall with the Brittish troops and transeports for Brittan, the New England troops and transeports under convoy of H.M.S. *Enterprise* for Annapolis Royall : with the new garison : where wee arrived with some part of them (severalls having lost company and gone directly to Boston) about the beginning of October, and after having exchanged the garisons proceeded to Boston with the New England troops and old garison, where wee arrived safe about Oct. 20, 1711. *Signed, Sam. Vetch. Copy.* 3½ pp. [*C.O.* 5, 9. *Nos.* 103, 82, 82A., 83, 101, 102.]

Nov. 17. **176.** Opinion of the Attorney General. I have perused the two affidavits of Charles Bowes and Michael Ayon agst. Henry Smith, and am of opinion their appeares by you sufficient matter to commit Smith for High Treason in leavying warr against H.M. in the Island of Antegoa in America, Antegoa being one of H.M. Plantations. *Signed, Edw. Northey.* ¼ p. [*C.O.* 152, 42. *No.* 78.]

Nov. 17. **177.** Lt. Governor Spotswood to the Council of Trade and Virginia. Plantations. The last letter I had the honour to write to your Lordps. (of which the inclosed is a copy) gave an account of my intended progress to our Southern frontiers to meet the Deputys of the Tuscaruro Indians. Accordingly having drawn together to Nottoway town against the time appointed the Militia of the three neighbouring countys, consisting of upwards of 600 men ; five of the great men of that Nation arrived very opportunely just at the time I had brought the Militia under some discipline ; and were not a little surprized to find there so great a body of men in such good order. After entring into conference with them, I found both by their discourse and also from what my Messenger assured me of his observations whilst he was in their towns, that they were very desirous to continue in peace with this Government, and seemed much concern'd that any of their Nation should have joined in the massacre in Carolina. I then proposed to them either to carry on a war against those Indians upon the promise of rewards to be paid them, or to join with H.M. subjects of Carolina for extirpating those Assassines, and that for the better assuring us of their future good behaviour

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they should deliver two children of the great men of each town to remain as hostages and to be educated at our Colleges. But as they had no authority to conclude anything without the concurrence of the rest of their Nation, they desired time to inform their towns and promised to return with an answer by the 20th of this month, and I'm in great hopes to obtain what I have proposed by the readiness they have already showed in this meeting, as well as their frankness in procuring the liberty of the Baron de Graffenried upon the demand I made of him, who was to be conducted home to Carolina the next day after my Messenger left their country. The delivering their children as hostages will not only prove the most effectual security for their fidelity, but may be a good step towards the conversion of that whole Nation to the Christian faith, and I could not hope for a more favourable conjuncture to make this demand than now when they are under great apprehensions of our resentment for the late barbaritys committed in Carolina, and the impressions made on them by the appearance of so great a force as I then show'd them. I took this occasion to renew a proposal I formerly made to our tributary Indians for sending some of their children to be brought up at the College, and though it has hitherto been judged a matter so impracticable that the Governors of the College have thought it in vain to attempt it, and have chosen rather to be at a great expence for buying Indians of remote Nations taken in war to be educated in pursuance of a donation left for that purpose by Mr. Boyle ; yet I have prevailed so far by offering to remitt their whole tribute of skins so long as they kept their children at the College, that the King of the Nansemonds has already sent his son and cousin. The Nottoway and Maherines have sent each two of their chief men's sons to be brought up to learning and Christianity, and the Queen of Pamunky upon seeing how well those Indian children are treated has engaged to send her son and the son of one of the cheif men upon the same foot and I also expect another boy from the Chicohominys. As the remitting their tribute is one of the conditions for their keeping their children at the College, and I beleive a strong motive to engage their compliance, so if it should happen to be disapproved and revoked, by succeeding Governors, because it lessens their income, it may occasion their recalling their children, and consequently prove a discouragement to the design of their conversion. And therefore I humbly offer to your Lordps.' consideration that H.M. may be moved to signify her approbation of my yeilding this branch of the Governor's perquisites, and if that be thought too great a prejudice to my successors, I shall if your Lordps. think fitt, propose another fund by which H.M. may be enabled to give an equivalent for this loss, which I shall begg leave in that case to lay before your Lordships, and I hope the example I have sett, with what I have recommended in my speech to the Assembly on that subject, will prompt them to settle some fund towards the education of the Indians, since that already given to the College by the deceased Mr. Boyle, will be too small for the maintenance of so great a number as are like to be there in a

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short time. That your Lordps. may be informed of the affairs under the consideration of this Assembly, I inclose a copy of my Speech at the opening this Session, and shal by the next opportunity (weh. I expect in a short time) give your Lordps. an exact account of their proceedings, together with the progress of my negotiations with the Tuscoruro Indians, which I am now obliged to break off by reason of the sudden departure of the ship, in which this is intended. *Signed*, A. Spotswood. *Endorsed*, Recd. 24th May, Read 11th Dec., 1712. $3\frac{1}{4}$ pp. *Enclosed*,

177. i. Copy of Lt. Governor Spotswood's Speech to the Assembly of Virginia, Nov. 8, 1711, urging them to make provision for defence of the frontiers, etc. $2\frac{3}{4}$ pp. [*C.O.* 5, 1316. *Nos.* 85, 85 i.; and (*without enclosure*) 5, 1363. pp. 421—425.]

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Virginia.

- 178.** Lt. Governor Spotswood to [*? the Earl of Dartmouth*]. Duplicate of preceding covering letter. [*C.O.* 5, 1337. *No.* 16.]

Nov. 20.

- 179.** Mr. Attorney and Mr. Solicitor General to the Council of Trade and Plantations. *Reply to queries of Oct. 26th q.v.* (1) Wee are of opinion that reasonably stocking and managing a Plantation mentioned in the Act is a settlement within that Act; (2) The prove may be by oaths made before your Lordps., or by oaths made in those Plantations and transmitted under the Seal of those Islands, or by the return of a Commission which your Lordps. might have sent thither. (3) As to the third querie, the Act seems to have restrained the bounty to such inhabitants and Proprietors who should resettle their Plantations and to exclude all that had not Plantations to resettle. But since according to the Address of the House of Commons near the end of the last Sessions, your Lordps. are to lay an account before that House the beginning of next Sessions, how you intend to make the distribution, wee are of opinion it may be proper to lay this matter as a doubt before the house, and its probable the sufferers may then apply for a bill to enlarge their time for making their proof of their resettling, for that by the Act all that so resettle before the 25th Dec. seem to be intituled for a share of the Bounty, the Act giving the same to such as had or should resettle, without mentioning any time, other than the time for making out the Debentures. *Signed*, Edw. Northey, Rob. Raymond. *Endorsed*, Recd. 21st, Read 28th Nov., 1711. $1\frac{1}{4}$ pp. *Enclosed*,

179. i. Duplicate of *No.* 137.

179. ii. Copy of clauses from the Act for *licensing hackney coaches and chairs etc.* enacting that £103,003 11s. 4d. shall be distributed amongst such proprietors and inhabitants only of Nevis and St. Kitts who have resettled or shall resettle their plantations damaged by the French *etc.* The Commissioners of Trade to issue debentures for the same on or before Dec. 25, 1711, *etc.* 3 pp. [*C.O.* 152, 9. *Nos.* 91, 91 i., ii.; and (*without enclosures*) 153, 11. pp. 405, 406.]

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[Nov. 20.] **180.** Capt. Simson and the Widow Gandy to the Council of Trade and Plantations. Being held responsible by the Assembly of Jamaica, as securities, for the defalcations of Thomas Finch (*v.* Sept. 17), they pray that the bill for the sale of Finch's estate for the payment of the sum embezzled may be passed, *etc.* Signed, on their behalf, George Daniell. *Endorsed*, Recd. 20th, Read 22nd Nov., 1711. 1 large p. [C.O. 137, 9. No. 50.]
- Nov. 20.
Whitehall. **181.** Council of Trade and Plantations to the Earl of Dartmouth. *Forward* Lt. Governor Spotswood's request for gunpowder *etc.* (July 28) to be laid before H.M. *Autograph signatures.* 1½ pp. [C.O. 5, 1341. No. 17; and 5, 1363. pp. 367, 368; and 5, 1335. pp. 142, 143.]
- Nov. 20.
Whitehall. **182.** Same to the Lord High Treasurer. Enclose Lt. Governor Spotswood's remarks and enclosures concerning the method of sale of tobacco for quit-rents, *etc.* (July 28) for H.M. pleasure thereon. [C.O. 5, 1363. p. 369; and 5, 1335. p. 146.]
- Nov. 21.
Whitehall. **183.** Mr. Popple to Richard Tilden. *Forwards* to him, as Governor Lowther's agent, his application (*v.* Aug. 20) for a Commission of Vice-Admiralty, "that you may apply to the Lords Commrs. of the Admiralty for such a Commission, which when you have procured you are to signify to me." *etc.* [C.O. 29, 12. p. 383.]
- [Nov. 21.] **184.** Thomas Finch, of Kingstowne, to the Council of Trade and Plantations. Petitioner was inveigled by Charles Chaplin (*v.* Sept. 17), by menaces and fair promises, into giving him receipts for £3,800 public money. On April 17 following, Chaplin and Simpson's interest in the Assembly prevailed so far as not only to expell him from the Assembly (soon after which he was confined a close prisoner) but also under pretence of a letter written to one of the Assembly by him, signifying that he had sent them an abstract of what estate he had, which he hoped would prove sufficient to pay the money he had given Mr. Chaplin receipts for, if the House would give a little time, for collecting so much as would pay for it, which he thereby offered to put into Trustees' hands, praying a delay of 3 or 4 months for that purpose (which letter was by Chaplin and Simpson artificially expounded to amount to a request to have a law passed for the sale of his real and personal estate) they brought in a bill to vest not only his personal estate but also his real estate (which by the ordinary course of law could not have been subjected to the payment of debts) in Samuel Vassall, John Clarke, and William Norris to pay the said £3800 in the first place to Simpson and Martha Gandy (his securities) without having any regard to the rest of the creditors of Finch, otherwise than to be paid out of the residue of his estate, and without any regard to Finch's family, who by this extraordinary interposition of the Legislature are deprived of that provision which by the standing Laws of the said Island could have been made for them out of the real estate

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of Finch. *Prays* that H.M. may disapprove the Act for above reasons. *Endorsed*, Recd. 21st, Read 22nd. Nov. 1711. 1 large p. [C.O. 137, 9. No. 51.]

[Nov. 21.]

185. Henry Soames and other London Merchants, creditors of Thomas Finch of Kingstown to the Council of Trade and Plantations. *Pray* that H.M. may disapprove the Act of Jamaica for vesting the estate of Thomas Finch for the payment of £3800, etc. (v. preceding). The remainder of Finch's creditors are by this law put in a worse condition than they were by the ordinary course of law. It will destroy the credit and consequently trade of the Island, if merchants' goods and credits in the hands of factors and the estates of persons to whom they give credits, are thus subjected to new rules of law, etc. *Signed*, Henry Soames and six others. *Endorsed*, Recd. 21st, Read 23rd. Nov. 1711. 1 large p. [C.O. 137, 9. No. 52.]

Nov. 22.
Whitehall.

186. Council of Trade and Plantations to Governor Lowther. *Acknowledge* letters of July 16 and Aug. 20. We are very sorry to see such a number of British ships taken (v. Aug. 20. No. i). We cannot but think that if the ships of war H.M. is pleased to send for the protection of Barbados, were kept to their duty in cruising in the most proper stations, they might in a great measure protect and secure the trade of that Island. You ought to have had an Admiralty Commission before you went from hence; for without it you have no power over the captains of ships of war; and therefore we have acquainted your agent etc. (v. Nov. 21). We approve of your reasons against a cartel for exchange of prisoners with the French, and think you are very much in the right to refuse the sending the prisoners of theirs you had to Martinico. [C.O. 29, 12. pp. 383, 384.]

Nov. 22.
Whitehall.

187. Council of Trade and Plantations to Governor Lord A. Hamilton. *Acknowledge* letters of Aug. 15th and 29th. As to what your Lordship writes, relating to the duties on prize goods, your Lordship will perceive by the Act for the encouragement of the trade to America, inclosed Oct. 26th, what has been done therein. The Assembly's pretence of a power to adjourn themselves without your leave, for a longer time than *de die in diem*, is altogether groundless. The Assembly being called, and sitting as an Assembly by virtue of H.M. authority, vested in your Lordship by Commissn. under the Broad Seal of this Kingdom, they ought not to assume a power never lodged or intended to be lodged to them; and therefore we doubt not but your Lordship will upon any future occasion of that nature assert H.M. Prerogative, and not allow of their adjourning themselves as aforesaid. We shall suddenly take into consideration the Acts relating to fees, and for quieting of possessions, and shall not fail of giving your Lordship our thoughts thereupon. We are very glad to find by your Lordship's letter Aug. 29th, that the Assembly met in so good a temper, and doubt not from your prudent management, but at their next meeting they will, as

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your Lordship believes, compleat their session to satisfaction. We think your Lordship has done well in rejecting the Cartel offered by the French, for the French may take more British prisoners than we take of theirs, yet as their Islands subsist during this war chiefly by privateering, the sending of the French prisoners to this Kingdom will be a greater loss and disappointment to them, than ye sending H.M. subjects to France, can be to H.M. Plantations. As to your Lordship's desire of having the nomination of persons to fill up vacancies in the Council, we shall always have a due regard to your Lordship's recommendation and the publick service. *P.S.* We have received ye broken seal your Lordp. mentions. [*C.O.* 138, 13. *pp.* 375, 376.]

Nov. 22.
Treasury
Chambers.

188. Lord High Treasurer's Warrant directing H.M. Remembrancer to take Mr. Hyde's security (*v.* June 14). *Signed*, Oxford. *Endorsed*, Recd., Read Nov. 23, 1711. $\frac{1}{2}$ *p.* [*C.O.* 5, 1264. *No.* 125; and 5, 1292. *p.* 329.]

Nov. 22.
Whitehall.

189. Council of Trade and Plantations to Lt. Governor Spotswood. *Acknowledge* letter of July 25 (=? 28). We are now to return an answer to that, and to your former letters of 6th and 20th of March, and Dec. 15, 1710. We have not yet had time to consider the Acts therein mentioned, but shall do it at the first opportunity. In the mean time you will perceive by our letter of April 13th last (duplicate whereof has been sent you) that H.M. has been pleased to repeal the Act pass'd in Oct. 1666 for declaring what is meant by seating of lands, so that Law being set aside, you are till further orders from H.M. to govern yourself in the granting of patents for lands by H.M. Instructions to you in that behalf. We have considered what you write in your letter of Dec. 15, (which is what you mean by Dec. 18th having none from you of that date) relating to the granting of lands on one side James's River, upon the ancient conditions of seating and planting. But as you have not explained to us what you mean by ancient conditions, we cannot lay that matter before H.M. If by ancient conditions you mean what was expressed in the repealed Act of 1666, we do not think it for H.M. service that any lands should be granted upon those terms, for the reasons set forth in our letter of April 13th. We have considered the rules prescribed by yourself and Council, relating to ye deciding differences between persons taking up the same tracts, or part of tracts of land, and have no objections thereunto. We are in expectation of the return from the Commissioners appointed to settle the boundaries between Carolina and Virginia, in order to our laying the same before H.M. for her pleasure therein. We have laid before my Lord Treasurer what you write in relation to the method of the selling the tobacco arising by quit-rents, and so soon as we shall know H.M. pleasure, we shall not fail of giving you timely notice thereof. You will have understood by our Secretary's letter of Jan. 29 and June 29 what was our opinion in relation to the working of the iron mines in Virginia. We are still of the same mind; and cannot

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think it for H.M. service or the advantage of this Kingdom (unless there be other reasons than do occur to us) that such a manufacture should be promoted in the Plantations. What you writ to my Lord Dartmouth in relation to the rasure of the date of H.M. letter of licence to the *Robinson* frigate, was referred to us before receipt of your letter of July 25th, (= ? 28) whereupon having examined in the Secretary's office, we found an entry of H.M. said letter dated 18th Sept., 1708, in the 7th year of H.M. reign, whereas the copy is dated Feb. 18, 1709, in the 8th year of H.M. reign, so that it plainly appears that the word February the figure nine and the word eight (as you observe) have been razed, and accordingly we have reported our opinion. You mention an overture that had been made to you for altering the annual Quit-rents payable to H.M. into a fine ; upon which we are of opinion the ancient method of annual Quit-rent is more for H.M. service. Your diligence in supplying Col. Hunter with the 700 barrils of pork you mention, is very commendable, but if you had inform'd us of the price of the said pork, and what mony you have been in disburse upon that account, we could have laid the same before my Lord High Treasurer. We agree with you that it is more for the service of the Plantations, to send home to this Kingdom such French prisoners as are there taken, than to exchange them in the West Indies, and therefore we cannot but approve of your sending the prisoners you mention to this Kingdom. [*C.O.* 5, 1363. pp. 370—373 ; and 5, 1335. pp. 150—155.]

[Nov. 23.] **190.** Copy of bond entered into by Finch, Gandy and Simpson (*v.* Sept. 17). *Endorsed*, Reed. Read Nov. 23rd, 1711. 1 p. [*C.O.* 137, 9. No. 53.]

[Nov. 23.] **191.** Copies of letters writ by Mr. Finch, and other papers relating to his case (*v.* Sept. 17, Nov. 21 *etc.*) *Endorsed as preceding.* 8 pp. [*C.O.* 137, 9. Nos. 54—58.]

Nov. 26.
Boston.

192. Col. Vetch, Governor of Annapolis, to the Council of Trade and Plantations. I have done myself the honour by severall opportunitys to acquaint your Lordships with the nature and state of Nova Scotia *etc.*, though I have not been [*? honour*]ed with any return from your Lordships relating to the same, *etc.* In severalls of my former I informed your Lordships of the fertility of the soyle vast quantitys of minerals, particularly copper, lead and iron, and abundance of verry fine marble of all colours, masts and navall stores to be had in plenty (of which I had cutt twenty from 18 to 26 inches, which being near the river-side were less expensive by much then the large ones which grow att a much greater distance, but these were all destroyed by the enemy during our late blockade), the vast plenty of fish and conveniency of harbours farr beyond Newfoundland. What I am now to lay before your Lordships is in my humble oppinion the most effectuall and easy way to make thiss a popolous and

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flourishing country. The first is : that your Lordships would be pleased to advise H.M. to give as an encouragement to all her protestant subjects of Brittain and Ireland who are willing to come over to settle in the cou[ntry] free transportation, tools and a twelve months subsistence as she was pleased to [*? do for the*] Palatines : which might be done without any great expense : for the masts ships cou[ld year ?]ly bring over 6 or 700 for a very small consideration : and to make the [*? matter*] of their subsistence easy : all the men fitt to carry arms might be subsisted for [—] as a part of the garison : which would not only save H.M. their subsistence [*? other*]wise, but by exerciseing them twice a week teach them the use of arms and so make a good militia : for as it is unreasonable to suppose ever the garison to have any [*? peace*] or be capable to live upon their pay, while they are under almost a constant block[ade, as ?] they will ever be while Canada is not reduced : and no inhabitants in the Country save Roman Catholicks and savages yett more biggott then they : both of which notwithstanding all the oaths they cann take own themselves obliged to break them whenever the preis[ts] order them : and give them absolution as wee have already experienced : but if wee had once four or five hundred protestant familys settled in the nighbourhood of the garison as that would be a retreat and security for them : so no party could approach without their giving us intelligence of the same : whereas now not having one person in all the country our freinds : wee never know of the enimys approach untill they have done some mischeif : and if with the above supposed planters att first two able clergymen who [*? underst*]and french were sent over, I doubt not but by their means : and the veiu of interest many of them would become Protestants. The second thing I would humbly recommend, will be an effectuall means to accomplish the former proposall : is to declare Annapolis Royall a free Port for all H.M. subjects and confederates to trade to. This, as it could no ways be prejudiciall to the entrest of either the Crown or subjects : so were it limited to seven or eleven years time, it would in one year after the expiration of that time be able to pay H.M. more revenue then it will doe in 20 as it now is, besides the vast advantage of peopleing the country and making it a known port and of considerable trade, and att the same time render it strong and secure from any insults of the enemy, *etc.* I must further begg your justice and favour in relation to the support of the garison itself : it having bein ordred by the Counsill of Warr (appoynted by H.M. and fully impowred by her Royall Instructions to doe everything that should be necessary for both the reduction and security of that garison when reduced) that 8 months' provisions should be immediatly putt into the garison for the number of troops appoynted for the same att H.M. charge (as is usual att Gibralter and other garisons in the enemy's countrys) before the expiration of which 8 months H.M. more particular commands was expected to the Governour of the said place, but none comming with relation to the same, and before the expiration of said time the garison being blockt up by land,

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oblinded the Governour (who was then commanded by H.M. especiall order to leave that Government to a Deputy and to come to Boston in New England, in order to take upon him the command of the American troops, who were raised to go by sea with Generall Hill against Canada) to cause the agent furnish the said garison with 8 months more provisions for the number of troops it then consisted of, which was judged absolutly necessary for the security of that place, during the absence of the fleet and army against Canada. For all which I had given the agent bills upon H.M. Treasury as well as for the necessary reparations of the garison with the particular accounts of the same signed by the Engineer and Clerk of the Works therewith transemitted, as are likewise the victualling accounts annexed to the bills for the same, none of which have as yet been accepted by my Lord Treasurer to the almost ruine of the agent and others concerned with him as well as the vast discredit of the publick and loss of every particular person upon the Brittish establishment, inso-much that bills upon the publick are here 20 p.e. worse then private bills. I earnestly therefor reecomend it to your Lordships' serious consideration and intreat your favour with my Lord Treasurer that the bills drawn upon so important service with all possible vouchers accompanying them may be punctually payed. If there be any one article upon examination judged unreasonable, let an account of the same be transemitted over, and if all possible satisfaction be not given to the same, lett it be stopped out of the next bills, for the agent being allways 3 or £4000 in advance for the garison before ever the bills are drawn, he must be ruined if those bills lys six or eight months for acceptance, by which time he must be the like summ in advance before the first are accepted. And as it will be impossible the garison of Annapolis cann subsist without H.M. affording them provisions untill the country be both peaceable and better peopled, so unless the bills drawn for the same meet with a more punctuall acceptance and payment, it will be impossible for me to find any person to be agent for the same: and as I doe assure your Lordships I never drew for more then the effectives which the bills will make appear: there being 100 difference in 6 months time who dyed and deserted, which was a perquisite properly belonging to myself and the officers, yett I was resolved to be so just to the Crown as not to charge one man more then the effectives. The subsistance of the above I have hinted to my Lord Treasurer, but knowing his vast business will not allow him time to think upon such small matters, I must humbly intreat your favour and justice with regard to all the above premisses, and if their remains any difficulty either in the accounts or the above proposalls that your Lordships or the Ministry wants to be satisfied in, or with relation to the miscariage of the late Expedition, if your Lordships will obtain me H.M. leave to go to Brittain, hav[ing] now a Deputy Governour, I doubt not to give full satisfaction in every poynt, etc. *Signed*, Sam. Vetch. *Endorsed*, Reed., Read 24th April, 1712. *Edges worn*. 2½ pp. [C.O. 217, 1. No. 1; and 218, 1. pp. 23—30.]

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Nov. 26.
Treasury
Chambers.

193. Mr. Lowndes to Mr. Popple. *In reply to Nov. 13, the Lord Treasurer transmits enclosed for the consideration of the Lords Commissioners of Trade, and requests them to let him have a state of the affair relating to the Palatines, their numbers and the application of the £10,000 already paid to Col. Hunter for them; what agreement of promise was made on H.M. behalfe in relacon to their subsistence, together with their Lordps.' opinion what summs may be further necessary to advance for their subsistence before they begin to repay the publick by the produce of their labour in the manufacture of Naval stores. Signed, Wm. Lowndes. Endorsed, Recd. 27th, Read 28th Nov., 1711. Addressed. 1½ pp. Enclosed,*

193. i. Earl of Clarendon to the Lord High Treasurer. *Report upon two letters from Governor Hunter to the Earl of Dartmouth. I conceive it is your Lordp's. intent that I should give my opinion how farr I think it reasonable that the demand made by Col. Hunter of £15000 a year for two years for the subsistence of the Palatines etc. should be granted. Col Hunter in his letter of Oct. 13, 1710, says "I have settled the Palatines on Hudson's River etc.," but he not naming the place, I beg leave to acquaint your Lordp. that by letters I have lately recd. from New York he has settled them upon the lands of one Robert Levingston at a place called Rooloffe Jansen's Kill 110 miles above New York and 40 miles below Albany. It is most certain that great quantitys of pitch and tarr and other Navall stores may be brought from New York and some other of H.M. Collonys upon the Northern Continent of America much more than Britain can consume, and that might have been done as well without the Palatines as with them, had due encouragmt. been given; but I thinke it is unhappy that Col. Hunter at his first arrivall fell into soe ill hands, for this Levingston has been known many years in that Province for a very ill man, he formerly victualled the forces at Albany, in which he was guilty of most notorious frauds by which he greatly improved his estate, he has a mill and a brew house upon his land, and if he can get the victualing of those Palatines who are so conveniently posted for his purpose, he will make a very good addicon to his estate; and I am perswaded that the hopes he had of such a subsistence to be allow'd by H.M. were the cheife if not the only inducements that prevail'd with him to propose to Col. Hunter to settle them upon his land, which is not in the best place for pine-trees, the borders of Hudson's River above Albany, and the Mohacks River Schenectady are well known to be the best places for pines of all sorts both for numbers and largness of trees. Col. Hunter in his letter of Nov. 14, 1710 says, "I have with good husbandry saved as much out of their (the Palatines') allowance of 6d. and 4d. a day as will pay the officers'*

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salarys and some part of the contingent charge, and as near as I can compute £15000 sterl. yearly for two years forward will be sufficient to compleat that great work. I have drawn bills on the Treary. for a quarter's subsistence, which I begg your Lordps. will please to recommend may be punctually complied with, or that people must starve and I with them, and the most beneficiall scheme of wealth to the Nation that has been thought of in those latter times be nipt in the bud." The bills drawn by Col. Hunter for one quarters subsistance for 1764 adult at 6*d.* and 445 persons under age at 4*d.* a day in all making 2209 persons, and amounting to £4700 17*s.* 11*d.* seems to be computed according to the numbers that landed at New York in June 1710, which I think ought not to be, because its certain many of them are dead. It is most certain that no person that has his limbs, and will work can starve in that country, every man or woman above 15 years of age may earn 2*s.* 3*d.* New York money (wch. is 1*s.* 6*d.* sterl.) every day in the year except Sundays. Handycraftsmen, such as smiths, joyners, carpenters, masons and bricklayers may earn at least 5*s.* New York money every day they will work, so that nothing can bring those people into the danger of starving but willfull laziness. My Lord, upon the whole matter, I am of opinion that if the subsistence proposed is allowed, the consequence will be that Liveingston and some others will get estates, the Palatines will not be the richer, but will be confirm'd in that lazynesse they are already too prone to, besides they will very easily perswade themselves that the same interest that has obtain'd two years subsistance more than they expected when they were sent from Britain, will obtain two more, and soe on ; I must begg leave to take notice that this *beneficial scheme of wealth to the Nation* is not new at this time, and that some years ago an Act of Parliament was passed for *encouraging the exportation of naval stores from the Plantations*, in that Act there was a reward promised for the importing such stores, but there was no fund appropriated for the payment of it, else that Act would have had a better effect then ten times the number of Palatines, *etc.* Signed, Clarendon. 2 $\frac{3}{4}$ pp. [C.O. 5, 1050. Nos. 30, 30 i. ; and 5, 1122. pp. 458—464.]

Nov. 28.
St.
Christophers.

194. Governor Douglas to the Council of Trade and Plantations. I cannot but lay hold on this opportunity of the *Bridge-water* merchant ship bound for London to repeat to your Lordships (the arrivall of the packets being so slow and uncertain) that I have taken all possible care to put the island in the best posture of defence, *etc.* I passed several useful bills into laws which the publick peace oblidged me to do to amuse these As-

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semblymen, tho' I much question if people under their misfortunes do deserve to be esteemed the Representatives of a country. I have in a great measure divided and broke the knot and body of the rebels, and have chose out a handful of this ill arm'd and almost unserviceable regiment to give some small assistance in putting H.M. commands in execution (especially hoping the chief mutineers that might have prevented that horrid murder and the loss of so many subjects, who are sent for Great Britain, will meet with exemplary punishment) which I propose to use my utmost endeavours to do on the arrival of the next packet, that if possible all further charges might be saved from the Crown. I also reviewed the Militia at Mountserrat and summoned an Assembly there. I have also sat some time with the Assembly I called at Nevis, where I rectified the great disorders amongst their militia, and have thought it absolutely necessary to suspend one Milliken the Fort Major, not onely to do justice to the Assembly, whose enquiries run very high concerning the embezzlements of the stores, but that I am well convinced he is the very reverse of such a person as is enjoin'd me by H.M. Instructions for such an office, and had John Butler, Lt. Col. of the Horse, sworne in his room, a man of honesty, courage and estate, and who was recommended to me by almost all the men of worth and experience in that Island. I also appointed Richard Abbott, being the eldest Colonel in this government, to be Brigadier General over these Islands, and humbly begg the Royal confirmation. In this Island I found their affairs had been long neglected and in great disorder. I have at length opened the Courts and established a due course of Justice amongst them, and passed a great many bills into Laws which will be laid before your Lordships with other accounts and transcripts with the first safe opportunity. I renewed Michael Lambert Esq. his commission (the Lt. Governor of this Island) as Major General of the Forces in those Islands, which is humbly begg'd to be confirmed by H.M., and since they have raised a small levy they begin to think of repairing their forts and platforms, and presume to inclose an account of what stores are chiefly wanting. They have begun to build some new churches and nothing is heard now but unanimity in their publick resolutions and all thoughts of daring any more to invade the Prerogative seem forgot, especially since the imprudence of one Cunningham is discovered, who has been lately a turbulent disturber of their Assemblys. He has the indiscretion to pretend a right by his wife, a French woman, to a certain plantation where it was formerly called the French quarter by a pretended grant of the late King William to one Mrs. Sulinave, tho' the Marquis d' Amblemont a subject of the French King's had purchased it from Sulinave's kinsman Monsieur L' Abadie and possessed it for some time. I therefore think it but justice towards the resettling and bringing more people upon the Island to approve of the advice of both Council and Assembly to suffer as many poor people as desire it to settle upon it and improve it for the present ; our constant and hearty

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prayers are, that H.M. sacred Majesty may retain the intire sovereignty of this fruitfull Island after the peace, without which it will prove very hard for H.M. subjects to continue their settlements and vie with a powerfully supported neighbour by reason of their having been so often harrassed and destroyed by the most inhumane manner of making warr which is still practised on this side the Tropicke. The Council and Assembly presses me very hard to pass a Bill to lay a tax of 20 pound weight of gunpowder upon every tun of sugar shipp'd from hence to Nevis, which I have thought unreasonable, and shall not offer anything of so extraordinary a nature without directions from your Lordships. We are comforted with the hopes of a very good crop of sugar in all the Islands. By private intelligence and intercepted letters, Martinique is in a starving condition for want of provisions. I have received George Liddell and George Millward Esqs. into the Council of this Island, two very worthy gentlemen, in the room of two that were superannuated and infirm. The Islands suffer by having so few freeholders, many of the most considerable planters and traders not being qualified to be chosen Assemblymen, this makes their attendance the more expensive and troublesome besides other inconveniencies. A poor handful of Dutch settled at St. Eustatia are intollerable neighbours by protecting our negroes, deserters from the regiment and all malefactors who fly thither from justice, they also pretend to be masters of half the little Island of St. Martin's, another nest of French privateers and thieves. I humbly begg your Lordships' orders in this particular, if at least I might make reprisals to bring them to know their duty to the neighbouring subjects of that Sovereign by whose clemency they are suffered to settle in any part of H.M. Dominions. The poor people are transported with the liberty and protection I give them in their settling the French part of this Island (as it was formerly called), and these few of H.M. subjects that inhabit some of the lesser Islands in a roving course of life will soon be drawn to unite in strengthening this Island upon very small encouragement. Having received some very good intelligence that the French design to reattaque Mounserrat, I am resolved to embarque for that Island to-morrow, to make all possible defence if the storme should really fall there, which has cheifly its natural situation to trust unto. *Signed, Walter Douglas.*
Endorsed, Recd., Read Feb. 12, 1711½. 3 pp. Enclosed,

194. i. List of Stores wanting in St. Kitts. *Same endorsement.* 1 p.

194. ii. Address of the Council and Assembly of Nevis to Governor Douglas. Our great misfortunes by the enemy in 1706, by the hurricane in 1707, and by two years of drought since, having rendred us unable to do for ourselves as we before did, *pray* H.E.'s good offices in procuring a grant of stores of war from H.M., *enumerated*. "These things being highly necessary, and we being not able to raise a fund for buying them, wee depend on H.M. bounty for them." *Same endorsement.*

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1½ pp. [C.O. 152, 9. Nos. 100, 100 i., ii.; and (without enclosures) 153, 11. pp. 430—435.]

- Nov. 29. **195.** Council of Trade and Plantations to the Queen. Walter Whitehall. Hamilton, Lt. General of the Leeward, has informed us (v. July 17) that the Lt. Governor of Antego had disputed the Lieut. General's sitting in the Council of that Island, he not being named in your Majesty's Instructions (to the Governor in Chief) as one of that Council. Upon which we humbly represent to your Majesty, that the said Hamilton having the honour of your Majesty's Commission to be Lieut. General of all your Majesty's Leeward Islands, we are humbly of opinion that it is but reasonable, and for your Majesty's service that he be admitted into the Councils of each respective Island, and that in the absence of the Captain General, he do preside in the Councils as he does command in chief there. [C.O. 153, 11. p. 407.]
- [Nov. 29.] **196.** Duplicate of H.M. Order granting Mr. Hodges leave of absence, Ap. 2, 1709 (v. Dec. 11). *Endorsed*, Recd. Nov. 29, Read Dec. 11, 1711. 1 p. [C.O. 28, 13. No. 75; and 29, 12. p. 393.]
- [Nov. 29.] **197.** Henry Newman to the Council of Trade and Plantations. Governor Dudley has represented the great difficulty he is under to procure a quorum for H.M. Council in New Hampshire, by reason of the great age of some, and the indisposition of others. *Recommends* John Wentworth for Councillor, he having one of the best estates in that Province and loyal to H.M. *Endorsed*, Recd. Nov. 29, Read Dec. 3, 1711. ¾ p. [C.O. 5, 865. No. 72; and 5, 913. p. 362.]
- Nov. 29. **198.** Council of Trade and Plantations to the Earl of Dartmouth. Whitehall. *Enclose* extract from Lt. Governor Spotswood's letter of Oct. 15 relating to the rising of the Tuscaruro Indians, to be laid before H.M. [C.O. 5, 1363. p. 382; and 5, 1335. p. 158.]
- Nov. 30. **199.** The Earl of Dartmouth to the Council of Trade and Plantations. Whitehall. *Encloses* following. *Signed*, Dartmouth. *Endorsed*, Recd. 1st, Read 3rd Dec., 1711. 1 p. *Enclosed*,
 199. i. Report of the Board of Ordnance upon the proposed (v. Nov. 20) exchange of defective powder in Virginia. In June 1702, in pursuance of H.M. Order in Council, 80 barrels of powder, with other stores were sold for the use of that Colony, and paid for by the Agent thereof to the Treasurer of the Ordnance. What quantity of that powder remains, there does not appear to us, and we are humbly of opinion that if it be decayed, it is for want of care in keeping of it, and that it would be a very ill president to cause such powder to be exchanged, after it has been sold, and sent abroad so many years. Office of Ordnance. Nov. 29, 1711. *Copy*. 1½ pp. [C.O. 5, 1316. Nos. 73, 73 i.; and (without enclosure) 5, 1363. p. 384.]

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Dec. 3.
Whitehall.

200. Council of Trade and Plantations to the Queen. *Recommend* Wm. Basset and Wm. Fitzhugh for the Council of Virginia, as proposed by Lt. Gov. Spotswood, *etc.* [*C.O.* 5, 1363. *p.* 383 ; and 5, 1335. *pp.* 160, 161.]

Dec. 3.
Whitehall.

201. Council of Trade and Plantations to the Queen. *Refer* to clauses in Act for *licensing hackney coaches* for relief of sufferers in St. Kitts and Nevis (*v. No.* 179 ii.). Upon consideration of which clause and the execution thereof, several difficulties did arise (1) It is not determined by the clause what shall be deemed a resettlement, or when such as have not already resettled, shall be obliged to do the same, or in what manner such obligation shall be entred into. (ii) For that the clause hath restrained the bounty intended to such inhabitants and proprietors only who should resettle their plantations, and consequently excludes all that had not Plantations to resettle, whereas in the returns of the losses sustained, there appears to be considerable numbers of persons who had no plantations such as merchants, shopkeepers and other dealers and inhabitants. Whereupon we advised with your Majties. Attorney and Solicitor General, who agree with us that it is proper to lay these matters before the House of Commons, that the said sufferers may apply for an explanation of the said clause, and for enlarging the time of their making proof accordingly. And the House of Commons having on the 7th June last humbly addressed your Majesty that an account be laid before their House the beginning of the next Session of Parliament, of the distribution intended to be made of the debentures directed to be delivered by the Commissioners of Trade and Plantations for releif of the sufferers in Nevis and St. Kitts, *etc.*, we therefore humbly lay the state of this matter before your Majesty. [*C.O.* 153, 11. *pp.* 408—410.]

Dec. 4.
St. James's
Square.

202. Lords Proprietors of Carolina to the Council of Trade and Plantations. We being informed that your Lordps. have receiv'd an account from Virginia, that several of H.M. subjects in North Carolina have been destroyed by the incursion of the Tusqueroro Indians, which Indians (as is suggested) have receiv'd encouragemt. from some of ye inhabitants of that place, and we having as yet receiv'd no account concerning this matter, do desire your Lordps. to transmit to us the substance of what your Lordps. have receiv'd concerning this unfortunate accident, that we may take all due and immediate care that all such delinquents as shall be found guilty to be any way aiding or assisting in so barbarous and cruel an action may be brought to condign punishment. *Signed*, J. Manley for the Duke of Beaufort, Carteret, M. Ashley, J. Colleton, J. Danson. *Endorsed*, Recd. 5th, Read 6th Dec., 1711. 1 *p.* [*C.O.* 5, 1264. *No.* 127 ; and 5, 1292. *pp.* 331, 332.]

Dec. 4.
Whitehall.

203. Council of Trade and Plantations to the Queen. Representation upon Address of the Minister *etc.* of the Church of St. Mary's, New Jersey. (*v.* July 30). "Having lately received the

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Act complained of from Mr. Penn, entituled, an Act *directing an affirmation to such who for conscience sake cannot take an oath*, we humbly lay the same before your Majesty, and take leave to observe that the affirmation directed by the said Act, doth materially differ from the affirmation enjoyned the Quakers by Act of Parliament here, and particularly in that the name of Almighty God is not mentioned in it. Besides a Quaker may by taking the affirmation directed by the said Act of Assembly, be an evidence in any case whatsoever, and consequently in criminal matters, which is expressly provided against by the Act which allows the affirmation in this Kingdom. For which reasons, we humbly offer that your Majesty be pleased to signify your disallowance of the said Act." [C.O. 5, 1292. pp. 330, 331.]

Dec. 6.
Whitehall.

204. Council of Trade and Plantations to the Earl of Dartmouth. *Reply to Nov. 30*, concerning powder for Virginia. Tho' the Board of Ordnance think it will be an ill precedent to exchange the powder that was sold *etc.*; yet if it were exchanged by small parcels by every ship in the method and for the purposes Coll. Spotswood proposes, we cannot conceive it will be of any prejudice to H.M. service. We must further observe that if upon the late massacre in Carolina, the Tuscaruro Indians should take arms, and be joined by other nations, and Coll. Spotswood necessitated thereby, for the defence of H.M. subjects to enter into an Indian war, there will be a necessity of his having powder and arms sent him; for he informs us, that the Colony is in no capacity to make an offensive or defensive war; their militia being in a manner wholly destitute of ammunition, and as ill provided with arms that are useful; that unless H.M. be pleased to send thither a supply of both to lye ready against an emergency, he fears he shall not be able to sustain any considerable attack. *Autograph signatures.* 2 pp. [C.O. 5, 382. No. 13; and 5, 1341. No. 18; and 194, 23. No. 4; and 5, 1363. pp. 385, 386; and 5, 1335. pp. 164-166.]

Dec. 6.
Whitehall.

205. Council of Trade and Plantations to the Lords Proprietors of Carolina. *Reply to Dec. 4.* Enclose the account received from Lt. Gov. Spotswood of the recent massacre by Indians, *etc.* [C.O. 5, 1292. p. 333.]

Dec. 6.
London.

206. Mr. Du Pré to the Council of Trade and Plantations. In answer to the objection made by your Lordships of the difference, which appears in the accompts of the subsistence to the Palatins transmitted by Col. Hunter, I humbly offer, that when I parted from New York in Nov. 1710, the Palatins were newly remov'd for the most part from the City of New York to the lands laid out for their settlement; their number then amounted to about 2200, and many of them, having during their residence in that City had an opportunity to see the country, where meeting with encouragmt. they asked leave of the Governour to hire themselves during the winter, in order to earn something, viz.

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cattle, money being too scarce, which H.E. was pleas'd to grant them: and these with some orphans bound apprentices, the widdows and other useless people left at their own disposal, might amount to betwixt 3 and 400, so that when they came to be muster'd at their respective settlements, they were found reduc'd to about 1800 souls. The Governour's intention at that time was, to call those who had leave to repair in the spring following to the settlement: but the delay of the needfull provision from home, for compleating the said settlement, was, as I presume, the reason that the Governour hath omitted it, because he was unwilling in his circumstances to augment the charges, *etc.* *Signed*, James du Pré. *Endorsed*, Recd., Read Dec. 6, 1711. 2 pp. [C.O. 5, 1050. No. 31; and 5, 1122. pp. 465, 466.]

Dec. 6.
Windsor.

207. H.M. Warrant to the President of the Council of Maryland, transmitting the new Seal and directing him to use the same. *Endorsed*, Sent to the Earl of Dartmouth, May 13. 1 $\frac{1}{3}$ rd pp. [C.O. 5, 717. No. 49; and 5, 727. pp. 314, 315.]

Dec. 6.
Annapolis
Royall.

208. Thomas Caulfield to [? the Earl of Dartmouth.] Though I have not the honour to be known to yourself being att present commander of this Garrison, I thought itt my duty to the best of my judgment, to give you an account of itt: when first we took posession, itt was the most miserable place I ever saw; but by our constant workeing, itt is made strong enough to withstand any force the enemy can possibly bring against itt in this part of the world: the Ingineir has sent a plan of the fort by this ship, as likewise a more particular account; the inhabitants have lived hitherto very peaceably, and seem to be extreamly well satisfied; since H.M. declaration has been issued out; which I took care to disperse over the whole countrey; but they cant forbore complaining of some hardships they have undergone: if anything extrordinary happens I won't fail acquainting you with itt, *etc.* *Signed*, Tho. Caulfeild. 1 p. [C.O. 217, 31. No. 3.]

[Dec. 8.]

209. Mrs. Ernle to the Council of Trade and Plantations. Prays to be heard by Counsel against the caveat entered by Sir John Coliton against John Coliton being made one of the Council of Barbados. *Endorsed*, Recd. 8th, Read 10th Dec., 1711. $\frac{1}{4}$ p. [C.O. 28, 13. No. 73; and 29, 12. p. 384.]

Dec. 11.
London.

210. Micajah Perry, John Keill and James du Pré to the Council of Trade and Plantations. In obedience to your Lordships' commands we in behalf of Governor Hunter humbly offer the following answers to the several objections and questions made us concerning the settlement of the Palatins. *The objections are those of Lord Clarendon, Nov. 26. Answers:* (1) We own others can raise naval stores as well as Palatins, provided they be sent upon that design; but since few people in that country

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can be spared from other labour, there is no considerable quantity of those commodities to be expected, but from Palatins : and we humbly conceive that the contract made with them was thought the most effectual means to set that manufacture upon a lasting foot ; they having thereby oblig'd themselves, to make it their sole business. (2) The Governour, before his departure from England did design to settle the Palatins in the Maqua's country, but after he had view'd the same, he judg'd it impossible for the following reasons, vizt. (1) Because the purchase thereof from the Indians was not clear. (2) That it is too much expos'd to the incursions of the French and their Indians. (3) and chiefly, because those lands are distant from the River near 20 miles ; and Scinectady, besides a waterfall of 60 ft. high, hath the same inconveniency, upon which account the carriage of anything would cost as much, if not more than it's worth. Now the Governour having found no lands at the Queen's disposal, except a tract of 6300 acres on the West side of Hudson's River, which being too small for such number of families, and Mr. Levingston having offer'd to part with 6000 acres of his lands situated on the other side of the said River, distant 8 miles above the afore-said tract, at a reasonable rate, H.E. accepted the offer, and purchas'd it for £200 sterl. So that both settlemts. are distant about 100 miles from the City of New York, on each side of a river navigable by ships of burthen, who may take in their loadings at the said settlements, etc. Within 3 miles, there are large tracts of pyne lands, the owners whereof have given leave to make use of the trees ; Mr. Levingston having reserved a sort fit for his saw-mill for plancks and timber, and which are of no use for tarr. (3) Mr. Levingston was alwaies known to be a carefull, industrious and diligent man, who by these, more than by any other means, hath got a considerable estate. It is true that he was accus'd, by a faction in that country, of having defrauded the Government of great sums, when he subsisted the forces at Albany : but it is as true that he hath honourably clear'd himself : having fairly past his accompts before a Committee of Council, upon which he obtain'd an Act of Assembly for releasing him and his estate, that was under a sequestration, untill he had so past his accompts. And the reasons which induc'd the Governour to deal with him, was not so much his choise as advantage, because Levingston made most reasonable and fair offers, and because he was capable of making the largest advances, and had most conveniencys for that purpose, as brew-house and bake-house. However, the Governour did therein act with all the caution and the care imaginable, and the contracts were drawn up by Mr. Mompesson, Chief Justice of the Province, and made as plain and binding as possible, so well with regard to the purchase of the land, as to the bread and beer he undertook for, at the rates the magistrates of the City of New York should from time to time set upon them ; and with this express condition, that if the Palatins, or their oversers had any legal objection against either the bread or beer, he did oblige himself to take it back and give better in lieu thereof. That Mr. Levingston

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undertook this with a prospect of advantage is so certain, that it might have created an ill opinion of him, if it were otherwise. (4) The Palatins could not have hir'd themselves to day labour, without disbanding themselves after their arrival at New York, which H.E. could not have given his consent to without disobeying the Queen's Royal Instructions, which are positive for settling them in a body, and for subsisting them, untill they could subsist of the product of their labour. And we do humbly conceive the Governour could never have answer'd it to the Queen and to this Honble. Board, if contrary to his Instructions he had suffer'd the dispersion of them ; whereby all hope of makeing any benefit by that useful manufacture had been lost ; especially after he had received £8000 from the Government, in part, for their subsistance, towards that end. Besides, anyone who is not altogether a stranger to that country knows, that not above 5 or 600 could have dispos'd of themselves in that manner, and even half of them, could not have found imployment, but in plowing and harvest time ; so that above 1000 of them must either have starv'd, or become a burthen to the country.

Replies to your Lordships' queries :— (1) How long the Palatins are to be subsisted by the Government ? The Governour affirms, that after Christmas 1712, the Palatins shall be able to subsist of the product of their lands. (ii) What quantity of tarr they are likely to make yearly ? Many experiences have demonstrated that one man may easily make 60 barrels of tarr in a year ; so that computing the number of working hands to be 500, these will raise 30,000 barrels in the whole yearly after 1713. (iii) In what manner and in what time the sums advanced by the Queen shall be repaid ? A barrel of tarr is sold at New York for 8*sh.* sterl. so that the whole product will yearly amount to £12,000. And if the Queen will be graciously pleas'd to allow them, for an encouragement, suppose one moietie out of the yearly produce (£6000), there will remain a yearly sum of £6000 towards discharging the money advanc'd by the Queen for their settlement and support : so that computing the whole expence to be £40,000, they may repay the Queen in 7 years or less after 1713. We humbly ask leave to observe further, that tho' tarr be onely here mention'd, it is not the only thing design'd : but as the Governour hath carry'd with him pots and other utencils necessary for boyling pitch and rosin, the children from 8 years and upwards will be usefully imploy'd therein : and that Coll. Hunter by a letter to me, Micajah Perry, gives directions to send him a considerable quantity of hemp seed, saying that he hath given orders for preparing lands to sow it in ; and dressing of hemp is a work that may be done in the depth of winter, when people cannot stirr out of doors ; by which means they will have constant employment. And if this design be duly encouraged and supported, as the Governour hopes it will, it will infallibly compleat and make it a standing manufacture of Naval Stores. *Signed,* Micajah Perry, John Keill, James du Pré. *Endorsed,* Recd. Read Dec. 11, 1711. 5 pp. [C.O. 5, 1050. No. 32 ; and 5, 1122. pp. 467—475.]

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Dec. 11.
London.

211. Mr. Hodges, Attorney General of Barbados, to Mr. Popple. *Encloses* following to be laid before the Council of Trade and Plantations. Being sick, *prays* that his attendance may be excused till he is able to go abroad. *Signed*, Tho. Hodges. *Endorsed*, Recd., Read Dec. 11, 1711. *Addressed*. *Sealed*. 1 p. *Enclosed*,

211. i. Same to Council of Trade and Plantations. Having H.M. leave of absence for 6 months, (*v.* April 2, 1709) petitioner proposed to Governor Lowther to appoint Richard Carter, Solicitor General, to act as his deputy. After some delay, the Governor refused, declaring that he would not approve any deputy made by him, but would fill up the place himself, in case the said Attorney did leave the Island. On being shown H.M. licence, he said there were some words wanting, (which were defaced by accident), and he therefore could not look upon it as H.M. Order. Petitioner being obliged to sail appointed Mr. Carter his deputy by a deed under his hand. Mr. Carter promised to act, if the Governor would permit him. But the Governor would not allow such deputation, and a few days after petitioner sailed commissioned Mr. Arthur Slingsby to act as H.M. Attorney-General there, and receive all fees and perquisites of that office, *etc.* *Signed*, Tho. Hodges. 5 pp.

211. ii. Governor Lowther to Mr. Hodges. Aug. 18, 1711. I am sensible what a particular loss I shall have of you. My greatest difficulty lyes in pitching upon one that is worthy to succeed you, *etc.* *Signed*, Robt. Lowther. *Copy*. 1 p. [*C.O.* 28, 13. Nos. 74, 74 i., ii.; and 29, 12. pp. 385—392.]

Dec. 13.
St. James's.

212. Order of Queen in Council. Upon a report from the Lords of the Committee for hearing appeals from the Plantations, Oct. 18 last, the petition of Edward Jones is dismissed. The Council of Trade are to report to H.M. upon the several matters depending before them relating to this cause without allowing any proofs to be made agt. the records of nine convictions, some of which are for cruelty and extortion, and one of them for perjury, the same having been before a Court having jurisdiction. *Signed*, Christo. Musgrave. *Endorsed*, Recd. Read Feb. 25, 17 $\frac{1}{2}$. 1 $\frac{1}{4}$ pp. [*C.O.* 37, 9. No. 22; and 38, 7. pp. 32, 33.]

Dec. 13.

213. Joseph Martyns and other London Merchants on behalf of the sufferers of Nevis and St. Kitts to the Council of Trade and Plantations. *Refer to form of certificate submitted Sept. 20 (q.v.) etc.* "We humbly intreat your Lordships with all convenient speed to signify to us after what form and manner you require that the sufferers and their Agents shall lay their claims before your Lordships" *etc.* *Signed*, Joseph Martyns, Rich. Meriwether, Nath. Carpenter, Humphrey South, Jos. Jory, John Pinney, Wm. Bowden, Rowland Gideon, Sam. Travers, Ste. Duport, Ja. Campbell. *Endorsed*, Recd. Read Dec. 13, 1711. 1 p. [*C.O.* 152, 9. No. 93; and 153, 11. pp. 411—413.]

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Dec. 14.
London.
- 214.** James du Pré to the Council of Trade and Plantations. Your Lordships were pleas'd to direct me to lay before you the accompt of the £10,000 issued out of the Treasury for the subsistence of the Palatins at New York, This I am not in a condition to doe, because all money matters have been transacted by Mr. Clark, the Secretary of that Province, whom the Governour hath appointed Treasurer of that Settlement. This accompt doth consist in great many articles, which hath been duely transmitted to Mr. Lownds. *Mentions some heads of expenditure. Signed, James du Pré. Endorsed, Recd. Read Dec. 14, 1711. 2 pp. [C.O. 5, 1050. No. 33; and 5, 1122. pp. 475—477.]*
- Dec. 14.
Council
Chamber.
- 215.** List of Lords not summoned to the Council, May. 20, 1707. 1 p. [C.O. 5, 11. No. 69.]
- Dec. 16.
Annapolis
Royall.
- 216.** G. Vane to [*? the Earl of Dartmouth*]. I did not beleive the ocaction or conveniency of troubling you, would soe soon have presented when I had the honneur a few days agoe of writing to you, but as the comodity of a sloop bound for boston presents, thinke it my duty to give you the following account: we have here a french gentleman named La Fosse who was taken prisoner of off Cape briton the latter end of the last summer by the *Mountague* man of war, in a small privatier sloop of his own, he expressing an inclination to serve H.M. was sent hither by Genl. Hill and Admirall Walker, with us, as a man proper to be employed, to goe with the Queen's declaration to the[y] french and Indians here and persuade them to submit, and become dutifull subjects to H.M. if the[y] were still in armes. The said La Fosse made me two days agoe the inclosed propotion concerning his estate in Newfoundland, (but not being very legibly write have transcribed it) desiring me to send it for England, being ready to deliver up his said estate to be a garnison for H.M. if she thinks fit to accept it, desiring an establishment to settle upon in this contrey, with a small consideration in money, as H.M. shall thinke fitt, *etc.* I know the place to lye as he describes it, having seen it from sea, and doe realy beleive it might produce the effect proposed if rightly managed, *etc.* *Signed, G. Vane. 2 pp. [C.O. 217, 31. No. 4.]*
- Dec. 17.
Whitehall.
- 217.** Council of Trade and Plantations to the Lord High Treasurer. The incident charges of this office amount to about £400 per annum, and by the Privy Seals which have usually been granted *etc.* have been directed to be paid to our Secretary according to accounts attested by us, *etc.* But in regard there is a charge by postage of all sorts of packets from the Plantations which contain the Laws, Books of Minutes of Councils and Assemblies, publick accounts and other papers, which by H.M. Instructions, are directed to be sent to us, and which will swell the accounts of incidents to a very great summ, we humbly pray your Lordship that in the Privy Seal now passing, the summ of £400 per annum may be directed to be paid to Mr. Popple without account, in full for the incidents of this Office, postage excepted,

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as to which we desire the account thereof certified from the General Post Office, may from time to time be laid before your Lordship, in order to the payment thereof. [*C.O.* 389, 37. *pp.* 27, 28.]

Dec. 17.
Whitehall.

218. Council of Trade and Plantations to the Queen. *Recommend* Thomas Maxwell to be appointed to the Council of Barbados, there being a vacancy by the death of George Lillington. [*C.O.* 29, 12. *p.* 396.]

Dec. 18.

219. [Memorandum of letter from] the Earl of Dartmouth to the Council of Trade and Plantations. Referring following for their report. *Signed*, Dartmouth. *Endorsed*, Recd. 20th, Read 21st Dec., 1711. $\frac{1}{2}$ *p.* *Enclosed*,

219. i. Petition of the Governor and Company of Adventurers of England trading into Hudson's Bay to the Queen. Petitioners *etc.* believing the justice of your cause and the terror of your arms must soon reduce the French King to sue for such a Peace as all Europe desires *etc.*, crave leave to submit the hardship of their case to your Royal consideration. *Repeat history of French depredations 1682—1688, etc., which was made one of the Articles in King William's Declaration of War. Continue:* But the Company found their interest not comprehended in the Treaty of Ryswick, which they are far from attributing to any want of care in that Gracious Prince, of this Kingdom's honour and trade, and rather think their right and claim was then overweighed by matters of higher consequence, for by the said Treaty they found their condition much worse than it was before by the 8th Article whereof the French were to be left in possession of such places situated in Hudson's Bay, as had been taken by them during the Peace, which preceded that war. At a meeting of Commissrs. on both sides (as directed by the said Treaty to adjust their differences) the Company did again set forth the undoubted right of the Crown of England to the whole Bay and Streights of Hudson, against wch. nothing but sophistry and cavils were offer'd on the French side, and the matter remain'd undetermin'd. The only settlement now remaining to the Company in those parts (of 7 they formerly had) is Albany Fort, on the Che Che Chewan, where they are surrounded by the French on every side vizt. by their settlements on the Lakes and Rivers from Canada, to the Northward towards Hudson's Bay, as also from Port Nelson (alias York Fort) to the Southward; the French likewise have lately made another settlement between Port Nelson and Albany Fort, whereby the Indians are hindred from coming to trade with the English Factory, at the bottom of the Bay, and if they are suffer'd to fix and fortify in those parts, beyond all question they will deprive your

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Majesty's subjects of that tract of land, which is so large a part of your American Dominions and rightly belongs to the Crown of Great Britain. Not only your Majesty's glory is concern'd to preserve those Plantations, but it very much imports the general trade of your Kingdom since your petitioners notwithstanding the losses and discouragements they have labour'd under, and during the War have brought from thence between 30 and 40,000 skins pr. annum, and doubt not yt. if they were reinstated in their possessions according to their Charter, to bring the said importation to 100,000. The country doth abound with several other commodities (of wch. Petitioners have not been able to begin a trade by reason of the interruptions they have met with from the French) as with whale oyl, whalebone (of wch. last year your subjects now purchase from Holland and Germany to the value of above £26,000 pr. annum which may be had in your own Plantations), beside many other valuable commodities which in time may be discover'd. If the French come once to be intirely possess'd of Hudson's Bay, they will undoubtedly set up a whale fishing in those parts, which will greatly tend to the increase of their navigation and to their breed of seamen. There is carry'd thither and consumed there nothing but of the product and manufactures of England, your Petitioners encouraging and daily bringing the Indians to wear coarse cloth instead of skins, which in process of time will considerably advance the woollen trade at home. It must needs reflect upon the honor of Britain to relinquish to the French that territory of which their violent usurpation in a time of Peace was alledg'd as a main Article in the first Déclaration of War against that Kingdom. If the French cou'd pretend to any right to the said Territories by the Peace of Ryswick, this right must needs be determin'd by their notorious infraction of the said Treaty. The premises consider'd, when your Majesty in your high wisdom shal think fit to give peace to those enemies whom your victorious arms have so reduced and humbled, and when your Majesty shall judge it for your People's good, to enter into a Treaty of Peace with the French King, your Petrs. pray that the said Prince be obliged by such Treaty to renounce all right and pretensions to the Bay and Streights of Hudson, to quit and surrender all ports and settlements erected by the French, or which are now in their possession, as likewise not to sail any ship or vessel within the limits of the Company's Charter, and to make restitution of the £108,514 19s. 8d. of which they robb'd and dispoil'd your petitioners in times of perfect amity between the two Kingdoms. *Endorsed as preceding.* 8 $\frac{3}{4}$ pp. [C.O. 134, 2. Nos. 33, 33 i.; and (enclosure only) 135, 3. pp. 110—117.]

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Dec. 19.
St. James's.

220. Order of Queen in Council. The report of the Council of Trade, Nov. 29, as to the rising of the Tuscaruro Indians, and a representation of the Lords Proprietors of Carolina, praying that Col. Cary and others sent over by Col. Spotswood as the principal fomenters of the said disorder may be secured, are referred to a Committee of the whole Council for their report. *Signed*, Chris. Musgrave. *Endorsed*, Recd. 3rd, Read 14th Jan., 17 $\frac{1}{2}$. 1 $\frac{1}{2}$ pp. [C.O. 5, 1316. No. 77; and 5, 1363. p. 391.]

Dec. 19.
St. James's.

221. Order of Queen in Council. Repealing Act of Pennsylvania *directing an affirmation, etc.* (v. Dec. 4). *Signed*, Edward Southwell. *Endorsed*, Recd. 3rd, Read 4th Jan., 17 $\frac{1}{2}$. 1 $\frac{1}{4}$ pp. [C.O. 5, 1264. No. 130; and 5, 1292. pp. 372, 373.]

Dec. 19.
St. James's.

222. Order of Queen in Council. Appointing William Basset and William FitzHugh to the Council of Virginia in the room of Dudley Digs and William Churchill. A warrant to be prepared for H.M. signature, requiring the Governor and Commander in Chief of ye said Island (*sic*) for the time being to swear and admit them, *etc.* *Signed*, Christo. Musgrave. 1 p. [C.O. 5, 11. No. 72.]

223. Duplicate of preceding. *Endorsed*, Recd. 3rd, Read 4th Jan., 17 $\frac{1}{2}$. [C.O. 5, 1316. No. 77; and 5, 1363. p. 391.]

Dec. 19.
St. James's.

224. Order of Queen in Council. Approving of Representation of Dec. 17, and appointing Thomas Maxwell to the Council of Barbados, *etc.* *Signed*, Christo. Musgrave. *Endorsed*, Recd. 3rd, Read 14th Jan., 17 $\frac{1}{2}$. 1 $\frac{1}{4}$ pp. [C.O. 28, 13. No. 78; and 5, 11. No. 71; and 29, 12. p. 397.]

Dec. 19.
St. James's.

225. Order of Queen in Council. Referring to a Committee of the whole Council Governor Douglas' letter transmitting evidence against Capt. Rokeby, Lt. Watts and Ensign Smith; and the petition of Micajah and Richard Perry, Exors. of Col. Parke, representing the obstructions that hinder the execution of H.M. Orders for bringing to condign punishment the persons principally concerned in his murder, and praying that such orders may be given as shall effectually bring the notorious criminals to their deserved punishment, and the aforesd. officers removed from their Commission, *etc.* *Signed*, Christo. Musgrave. *Endorsed*, Recd. 3rd, Read 15th Jan., 17 $\frac{1}{2}$. 1 $\frac{1}{4}$ pp. [C.O. 152, 9. No. 94; and 153, 11. pp. 415, 416.]

Dec. 19.
St. James's.

226. Order of Queen in Council. Approving Representation of Nov. 29, and appointing Lt. General Hamilton a Member of Council in each and every of the respective Leeward Islands, and also to preside in the said Councils in the absence of the Captain General, *etc.* *Signed*, Christo. Musgrave. *Endorsed*, Recd. 3rd, Read 15th Jan., 17 $\frac{1}{2}$. 1 $\frac{3}{4}$ pp. [C.O. 152, 9. No. 95; and 5, 11. No. 70; and 153, 11. pp. 416, 417.]

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Dec. 19.
St. James's.

227. Order of Queen in Council. The enclosed petition is referred to the Council of Trade and Plantations for their report thereon. *Signed*, Christo. Musgrave. *Endorsed*, Reed. 1st, Read 8th Jan., 1711. 1 p. *Enclosed*,

227. i. Gawen Corbin, late Naval Officer at Rappahanock River in Virginia, to the Queen. Complains of his dismissal by Lt. Governor Spotswood for negligence in the case of the *Robinson* frigate, and prays to be heard in his defence. *Signed*, G. Corbin. *Copy*. 1½ pp. [*C.O.* 5, 1316. Nos. 75, 75 i.; and 5, 1363. pp. 387—389.]

Dec. 20.
Barbados.

228. Governor Lowther to the Council of Trade and Plantations. *Refers to letter of 20th Aug., and asks for H.M. pleasure concerning men of war for that station and a cartel with Martinique as soon as possible.* *Continues*: H. M. Proclamation, 18th June 1704, for reducing of all foreign coins to a certain currency *etc.* hath been and is punctually obeyed by all H.M. subjects in this Island, but the same hath not been observed in any degree by H.M. subjects in the Leeward Islands, and other places, which hath been an unspeakable prejudice to the Trade and interest of this Island, for several people have made it their business to export from hence all the money they could get to Antegoa and other places that doe not take notice of the Queen's Proclamation, by which meanes there is little, or no cash left in the Island: I beg your Lordships to represent this matter to her Majesty and to signify her pleasure by the first opportunity. H.M. having commanded me to take care that all her rightes and dues be preserved and recovered, and that speedy and effectual justice be administed in all cases relaiting to her Revenue, I think it my duty to informe your Lordships of all matters and proceedings that are in my opinion any waies injourious or prejudicial to H.M. Revenue that I may receive H.M. further commands touching such practices and offences against her Revenue as are not (at present) in my power to redress *etc.* Thomas Hodges Esq. H.M. late Attorney General in this Island did on the 28th of April, 1709 exhibit a Bill in equity on behalfe of H.M. in H.M. Court of Exchequer within this Island against Alexander Skeene Esq. charging amongst other things that the said Skeene in 1706, 1707 and 1708 was prize officer in this Island, and as such did collect receive and take several great sumes of mony arrising from the condemnation and sail of several French shipes and vessels and from the several goods and appurtenances *etc.* to such shipes and vessels belonging, and that one moiety of the produce of such prizes belonged to her Majesty, and that the said Skeene refused to account for the same to her Majesty, or any other lawfully authorized and impowered on H.M. behalfe to require the same. To this Bill Skeene 9th June 1709 put in his answer, but it was excepted to and reported short, whereupon Skeene on 14th Sept. following put in a second answer to which Hodges replied, and Skeene having rejoined thereto, a subpena to judgement issued, and the 15th March 1710 the said cause came

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to a hearing in the said Court of Exchequer, and the Court decreed to H.M. £209 9s. 8d. being the moiety of the neat produce of the prize *Maria* of Nantz : upon this Skeene preferred his petition to the said Court, and prayed the Court to grant him an order for a rehearing, and that in the mean time no further proceedings be had on the said decreetal order : that petition the said Court of Exchequer dismissed ; whereupon Skeene petitioned Mr. Lillington then president of H.M. Council here, and pray'd that the said decreetal order might be staid untill the merits of the said petition was heard. Lillington on 8th May, 1711 ordered the merits of the said petition to be heard before him in Chancery, and that in the mean time no further proceedings be had against Skeene. Thus the matter stood till 30th Oct. 1711 at which time the cause came to be heard before me, and after it was opened and spoke to by Council on either side, I declared that it was my opinion that the Queen's Revenue and all matters relaiting thereto was to be determined in the Court of Exchequer and that no appeal laid from that Court to the Court of Chancery, being the Court of Exchequer was a Court of both Law and Equity ; I also added that it was my opinion that the late President's order on the said Skeen's petition was extra-judicial, but these points being put to the vote, all the Council gave it as their opinion that an appeal even in the Queen's case did ly from the Court of Exchequer to the Court of Chancery and the late President's order was regular and good : being thus over-ruled the course was ordered to be heard the next sitting of the Court. I need not observe to your Lordships how long Mr. Skeene hath kept the Queen's mony in this Island, but I must take notice that this is the first appeal that hath been made from the Court of Exchequer to the Court of Chancery, but what effect this inovation may have upon H.M. Revenue here ; besides occasioning matter of trouble, expence, and delay I leave to your Lordships' consideration, and desire to know H.M. pleasure in it. I observe it was made matter of complaint (by some Gentlemen) against Mr. Crow that during his Government he sat several times as one of the Judges in Chancery upon his own causes ; I likewise take notice that this and several other complaints that were exhibited against him were dismiss'd as frivolous : notwithstanding which I humbly desire your Lordships to let me know the Queen's pleasure what I must doe if I should be either plaintiff or defendant in Chancery, for tho' I have but one vote as that Court is now constituted, yet it cannot be held without I am present. Your Lordships will perceive by the inclos'd paper, that most of the Clergy here have not only made several complaintes to one Colonel Cleland, but have also desired him to use his interest in England to get them some glebes added to their livings : this conduct of the Clergy hath given great offence not only to the Council here, but also to the General Assembly. *Refers to enclosures.* The benefices here are from 200 to £600 a year, and if the Churchwardens doe not pay the parson what is settled upon him by an Act of the Island, the parson in such case, hath no more to doe, than to make his

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complaint to the Governour for the time being who is impowered by Law to give the parson a warrant to distrain upon the Churchwardens for so much as there is due to him. This step of the Clergy hath given great offence to the people, and they are very uneasy that the Clergy are not satisfy'd with their present condition, especially, since the Assembly hath already dealt so generously and well by them, that but few countries can equall their care and benefaction to the Church. I beg your Lordships to lay the aforesaid papers before H.M. and to signify H.M. pleasure by the first opportunity to your Lordships most obedient humble Servant. *Signed*, Rob. Lowther. *Endorsed*, Recd. 11th April, 1712. Read 14th, 17th July, 1713. *Holograph*. 4 pp. *Enclosed*,

228. i. Clergy of Barbados to Col. William Cleland. *Urge* him to interpose with the Society for propagating the Gospel, for settling the affair of General Codrington's donation and composing the difference between them and Col. Codrington ; also to obtain an instruction to the Governor to grant them escheated lands for glebes *etc.* *Complain* that the Churchwardens are not under any penalty for misapplying parish money *etc.* *Signed*, Irvine, Brice, Wharton, Justice, Gordon, Cunninghame, Glasgow, Bailie. *Copy*. 1½ pp.

228. ii. Minute of General Assembly of Barbados, 29th Oct., 1711. Resolved that the Clergy who signed the *preceding* letter are guilty of the highest disrespect to H.E. and the members of the Council and Assembly by not communicating their imaginary wants and grievance to them first *etc.*, and are guilty of laying most unjust and foul calumnies on ye Legislative power of this Island by insinuating that ye Clergy is neglected and the Church not sufficiently endowed *etc.* Letter to the Bishop of London ordered, and an Address to H.E. 1½ pp.

228. iii. Address of the General Assembly of Barbados to Governor Lowther. 29th Oct., 1711. We are satisfied that the complaints of the Clergy are unreasonable, and apprehend the *above* letter tends to create a jealousy and mistrust of your Excellency's administration the contrary whereof wee have experienced *etc.* Pray H.E. to lay *above* matters before H.M. *Endorsed*, Recd. 11th April, 1711, (*sic*). 1¼ pp. [*C.O.* 28, 13. Nos. 100, 100 i.-iii. ; and (*without enclosures*) 29, 13. pp. 7—15.]

Dec. 20.
Boston,
New England.

229. Governor Dudley to the Earl of Dartmouth. Since my letter by H.M.S. *Adventure*, I have caused Lt. Governor Taylour and Col. Rednap to view all the frontiers of this Province next to the French and Indians, where we must expect to be visited, this winter or early in the spring, they being encouraged by the disaster of H.M. fleet, however I hope to secure the poor settlements of H.M. good subjects by a party of 200 men

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I have in sloops to keep them from their support on the sea side, and two other partys of 60 each at their secret recesses in the forrest where they hide, who all have difficult marches to make on their snowshoes, the snow being generally two foot deep in the forrest. I have given the command of H.M. Castle at this place, which is the only place of strength in the Province, to Col. Taylour, which while the warr continues will give him the benefit of £100 per annum, towards his support here, and I humbly hope an happy peace will at length give H.M. leasure, and oppertunity to command a proper and just support for her Governour, Lt. Governour and Secretary, *etc. as Nov. 13.* The whole years accounts, *etc.* are covered to the Lords Commissioners of Trade, *etc.* All the Assemblys of H.M. Governments have humbly addressed H.M. to renew the expedition against Canada the next year, *etc. as Nov. 13. Signed, J. Dudley. 2 $\frac{3}{4}$ pp. [C.O. 5, 898. No. 22.]*

Dec. 21.
Boston.

230. Mr. Addington to Mr. Popple. *Encloses following. Signed, Isa. Addington. Endorsed, Reed. April 24, 1712, Read July 6, 1713. 2 pp. Enclosed,*

230. i.-vii. Accounts of stores of war in the several Forts in New England to June 26, 1711. *Endorsed as preceding. 9 pp.*

230. viii.-xvii. List of causes tried in the several Inferior Courts of the Massachusetts Bay in 1711. *Same endorsement. 20 pp.*

230. xviii. Account of H.M. Revenue in New Hampshire, 1710—1711. Details of expenditure of £3788 11s. 11d. *Signed, Sam. Penhallow. Same endorsement. 1 large p.*

230. xix.-xxviii. Duplicates of Proclamations issued by Governor Dudley relating to the Expedition to Canada. *Printed. Same endorsement. 10 pp. [C.O. 5, 865. Nos. 91, 91 i.-xxviii. ; and (without enclosures) 5, 913. pp. 405—411.]*

Dec. 21.
Whitehall.

231. Mr. Granville, Secretary at War, to the Council of Trade and Plantations. Having layd your letter concerning the Invalides in the companys at New York before the Queen, H.M. was pleas'd to referr the consideration of that matter to the Commissioners for Chelsea Hospl., and I having now receiv'd their opinion that such disabl'd soldiers do continue at New York, but that it should appear by certificates from the Governor that the said soldiers have been disabled by wounds in H.M. service, or that they have serv'd in the army 20 years or upwards whereby they are become unfitt for further service ; they also further proposing that the Agent here, who pays those companys, or such other person as the Governor shall appoint, by virtue of a letter of attorney from the soldiers shall receive their pay or pension money as out-pensioners of Chelsea Hospital, and that the certificates before mention'd be sent to the Commissioners as proper vouchers for their admittance into the pension, I think it proper to give this information, *etc. Signed, G. Granville.*

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Endorsed, Recd. Dec. 24, Read Jan. 15, 17 $\frac{1}{2}$. 2 pp. [C.O. 5, 1050. No. 34; and 5, 1122. pp. 478, 479.]
- Dec. 22. **232.** Mr. Wainwright to Mr. Newman. Gives details of the death of Col. Hilton (v. Dec. 3). He was shot by Indians in the woods of N. Hampshire, two years ago, whilst in command of a guard protecting cutters of H.M. masts, *etc.* *Signed*, Chas. Wainwright. *Endorsed*, Recd. Dec. 28, Read Jan. 14, 1711. *Addressed*, for Henry Newman, att his lodgings over White Hall Gate. 1 p. [C.O. 5, 865. No. 74.]
- Dec. 22. **233.** H.M. Warrant granting Edmund Jennings, Secretary of Virginia, leave of absence "for some time" *etc.* [C.O. 324, 32. pp. 111—113.]
- Dec. 22. **234.** Merchants of Bristol trading to Newfoundland to the Council of Trade and Plantations. Wee take leave to remind you of the vast advantages that would accrue to Great Brittain by obtaining the sole benefitt of the Fishery and trade to Newfoundland, which by Act of 10 and 11th Wm. appears to be H.M. undoubted right. And conceiving the ensuing treaty to be the likeliest time to regain that trade to this Kingdome, most earnestly desire your honours' care in and favourable representation of the same. *Signed*, Saml. Shawe and 28 others. *Endorsed*, Recd. Dec. 27, Read Jan. 14, 17 $\frac{1}{2}$. 1 p. [C.O. 194, 5. No. 9; and 195, 5. p. 264.]
- Dec. 25. **235.** Petty Expenses of the Board of Trade, Stationery, postage *etc.* Sept. 29—Dec. 25, 1711. 4 pp. [C.O. 388, 76. Nos. 123—127.]
- Dec. 29. **236.** Certificate that security has been given for Mr. Hyde, Governor of Carolina. *Signed*, Ga. Armiger. *Endorsed*, Recd. Exchequer Office, Inner Temple. 2nd, Read 4th Jan., 17 $\frac{1}{2}$. $\frac{1}{3}$ rd p. [C.O. 5, 1264. No. 128; and 5, 1292. p. 334.]
- [1711]. **237.** Copy of clauses in a Governor's Instructions relating to form of levying and issuing public monies. 1 p. [C.O. 318, 3. No. 38.]
- [1711]. **238.** Copy of an Act of Pennsylvania directing an affirmation to such who for conscience sake cannot take an oath. $\frac{3}{4}$ p. (v. Dec. 4 and 19). [C.O. 5, 9. No. 20.]
- [? 1711]. **239.** List of Governors and Proprietors of the Plantations. 1 $\frac{1}{2}$ pp. [C.O. 152, 42. No. 108.]
- [1711]. **240.** Naval Officers' Account of Shipping, Massachusetts, 1686—1719. [C.O. 5, 848.]

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[? 1711]. **241.** Address of several inhabitants and merchants of Barbados to the Lords Commissioners of the Admiralty. Capt. Jacobs, H.M.S. *Sweepstakes*, having been very diligent in cruizing and taken more of the enemy's ships than any commander on this station, *pray* that he may have the command on this station for the future. 78 signatures. 2 pp. [C.O. 28, 43. No. 51.]
- [? 1711]. **242.** Address of the General Assembly of Barbados to the same. *As preceding. Signed*, Thomas Maxwell, Speaker, and 17 others. 1½ pp. [C.O. 28, 43. No. 52.]
- [? 1711]. **243.** Mr. Fetherstonhaugh to [? Lord Dartmouth.] Prays his recommendation to Governor Spotswood of Benjamin Needler, son of Mr. Culverwell Needler, late Clerk Assistant of the House of Commons *etc.*, who is going to Virginia. *Signed*, W. Fetherstonhaugh. 1 p. *Enclosed*,
243. i. Draft of letter of recommendation *as above*. 1 p. [C.O. 5, 1341. Nos. 13, 13 i.]
- [? 1711]. **244.** Address of inhabitants concerned in the Fishery of the Massachusetts Bay to the Queen. *Return thanks* for granting petition for a convoy to their Fishery on the coast of Cape Sables, and that so suitable a frigott as the *Squirrel* has been sent, the Commander whereof gives us encouragement *etc. etc.* *Signed*, John George and 22 others. *Endorsed*, Recd. 17th Jan., 17½. 1 p. [C.O. 5, 10. No. 148.]
- [1711]. **245.** Memorandum of the Staff of General Hill, Commander in Chief of the Expedition against Canada, 17½. Col King, Q.M.G.; Col. Thistleton, Adjut. Genl.; three Majors of Brigade, a surgeon, physician, chaplain, Commissary of the musters, Commissary of the stores. *Concludes* with reference to the Staff for Lord Cobham's Expedition in 1719. *Probably dates from preparations for Expedition in 1746.* 1 p. [C.O. 42, 13. No. 15.]
- [1711]. **246.** Abstract of records preserved "in the Office Books relating to the Expeditions against Canada in 1709, 1710, 1711." (*Made at a later date, ? 1746 Ed.*) 7, 13, and 2 pp. [C.O. 42, 13. Nos. 8, 8a., 8b.]
- [1711]. **247.** [? Lord Dartmouth to the Lords Commissioners of the Admiralty.] H.M. haveing some moneths since received advice that ye French intended an expedition to North America for recovering of Port Royall, which was taken from them last October by Col. Nicholson, H.M. was pleased to direct what assistance and support could at this time be afforded those people for defence of that place and ye cuntry of Nova Scotia by sending back Col. Nicholson with ye *Saphire* and *Leopard* and two transports with armes and stores of warr. And there being fresh intelligence that ye enemy are still pursueing that designe, it is H.M. pleasure that you doe with all expedition send away the Newfoundland Convoy, and ye convoy to the mast shipp bound

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for New England with Instructions to ye Comodore of ye Newfoundland Convoy, to use all possible means of getting intelligence, and when he is certainly informed by way of Placentia or from New England or otherwise, that a French squadron is come into those seas and sayled towards Port Royall, that he doe immediately dispose of ye fishing shippes with the best security he can and with the ships of warr under his comand (or soe many of them as can be spared) sayle to New England to joyne ye *Leopard* and *Saphire* ye convoy to ye mast shippes and such of ye guard shippes as may be taken from ye service of that coast, and ye forces to be raised in New England, and to observe such orders and instructions as he shall recieve from ye sd. Col. Nicholson or ye Governor of New England, for preserveing of Port Royall and oposing the sd. French squadron. And I desire your Lordshipps will be pleased to transmitt to me by ye first opportunity, the names, rates and strength of ye Newfoundland convoy, of the convoy to ye mast shippes and of ye shippes of warr that are apointed to guard ye coast of North America. $2\frac{1}{2}$ pp. [C.O. 217, 31. No. 5.]

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Jan.-July. **248.** Permits to six ships to sail for America and the West Indies without convoy. [*C.O.* 324, 32. *pp.* 117, 118, 133, 154, 157.]

Jan. 1. **249.** Governor Hunter to the Council of Trade and Plantations. This letter serves to inform your Lordps. of the affairs in the Jerseys, which will not give your Lordps. much trouble, all matters being in suspense there till H.M. pleasure be known concerning those gentlemen of her Council mentioned in my former. I'll venture to promise an entire settlement both as to H.M. interest and the animosities in the country soe she'll be pleased to remove Daniel Cox, William Pinhorne, Peter Sonmans and William Hall Esqrs. from that Board. Mr. Pinhorne has not thought fitt to attend the Council since ye Assembly at Burlington, and Mr. Hall has been the cheife promoter of an Address from the County where he lives of a very extraordinary nature, a copy of which I herewith send ; the consequences of which have been that little or noe taxes have been paid by that county, and I very much doubt whether any will be paid without some extraordinary measures to compell them. As to the Supream Court there, I found it necessary to displace all the Gentlemen of the Council of both sides from being Judges Assistants, and to place others of known integrity and reputation in their room, their being soe being noe part of the institution of the Court and holding there places only by special commission from the Governours, this was the only method left to obviate confusion in that Court, where all matters were in danger of being determined more by spirit of party than rules of Justice, and also to restore the people to the benefitt of appeals of which they might be bereaved by the number of Assistants on the Bench leaveing noe quorum to determine in the appeale, such by my Instructions haveing noe vote there. If yr. Lordps. approve of ye method of opening ye Court of Chancery in New York I shall be under a necessity of doeing it by a Proclamation in the Jerseys, despairing of ever obtaining the advice and consent of that majority in Council there as they now stand, or any advise for opening such a Court, there being nothing more dreaded by that sett of men than a Court of Equity not without reason. *Signed*, Ro. Hunter. *Endorsed*, Recd. April 10th, 1712, Read March 19th, 171²/₈. 2 *pp.* *Enclosed*,

249. i. Address of the inhabitants of the County of Salem, New Jersey, to Governor Hunter. We are deeply senceable of our gratioius Queen's innwmerated favors, *etc.*, one of which is in sending your Excellency, whose mild and gentle conduct we hope will cause us to say we are happy in congratulating your Excellency's safe arrival. We humbly desir your Excellency in your

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great clemency to grant that those of us that cannot produce silver money to pay our taxes the Collectors may be allowed to receive wheat, silver money being extreemly scarce, the straits must unavoidably come makes us intrude with this humble request that those who cannot procure there taxes may be preserved from distraints and as peace and concord is the strength of a county we humbly address your Excellency to grant us a new choise for Representatives for our county many of us being neglidgent in ye last election that those of our members who indangers our depopulation by strife and anymossities may be removed from that honourabl body that designing men may be disincouraged and we H.M. loyal and obedient subjects for your Excellency's long life and everlasting felicity your Addressors shall pray. *Signed*, John Hollingsworth, Thomas Wright, Jacob Hendrixson, Benjamin Jones, Roger Huckings, Isaac Pearson, Saml. Wade, Joseph Ware, Jeremiah Smith, John Loyd (his mark), Jonathan Smith, William Short and 250 presons more. *Endorsed as preceding.* 1 p. [C.O. 5, 970. Nos. 155, 155 i.; and (duplicates) 5, 1091. Nos. 63, 65; and (without enclosure) 5, 995. pp. 166—169.]

Jan. 1.
New York.

250. Governor Hunter to Mr. Secretary St. John. I did myself the honor to write to you by the way of Boston since the fatal miscarriage of that justly great attempt upon Canada. That misfortune has occasion'd a joint addresse of the Council and Assembly here to H.M. begging she would be pleas'd to renew the expedition, which I have by this conveyance (the *Lowstoffe*) transmitted to the Earle of Dartmouth. I have also sent to his Lordp. a copie of the Council's Representations to the Lords of Trade of the behaviour of the Assembly here and the deplorable state of H.M. Government in this Province. All hopes of a remedy on this side are groundlesse and vain. I am confident that I have left nothing unattempted in the power of man to procure a better settlement here, and I beleive all sober men will do me that justice. But now the mask is thrown off, they have call'd in question the Council's share in the legislation, trump't up an inherent right, declar'd the power granted by H.M. letters patents to be against law, and have but one short step to make toward what I am unwilling to name. The Connecticut scheme is what they have in their heads and, if I be not mistaken, they are flatter'd by some at home with the hopes of oblidging the Crown to that concession by their undutifull practices. The various and dissonant models in the Charter and Propriety Governments is apparently the spring which moves these plexexitys in most of the Provinces. Let them be never so well, each conceives an opinion that their neighbours are better whilst upon another foot of Govt. In the infancy of the Colonies, the Crown was lavish of priviledges as necessary for their nurseing, but a full grown boy makes commonly but indifferent use of

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that indulgence requisite toward a child. If it is expected that the Colonys now they are grown up should be a help and of some use to their parent countrey, there is an evident necessity of an uniformity in their Governments. Upon that alone amongst other things an uniformity in worship intirely depends a thing more to be wish'd then hop'd for as they now stand. For although I cannot accuse our missionaries of want of either zeal or industry, their progresse is but inconsiderable and their proselytes few, how indeed can it be otherwise when both legislative and executive powers are lodg'd in such hands as are likelier to pull it up by the roots then plant it, and the people they are to work upon are generally the obstinate, the whimsical and factious who flock hither for elbow room to exert their talents. This great work how necessary soever requireing so much time and being lyable to so many difficulties in the accomplishing can not be depended upon as a proper remedy for the desperate condition of H.M. Government in this Province. The officers upon the point of relinquishing their employments or starving, all the extraordinary expenses of Govt. defray'd by my poor credit, though I have never touch'd one farthing of their money, H.M. Council here vilified and insulted, and the officers of Government look'd upon as the common enemy's and marks of their malice, and all this without the least provocation or colour of reason, this I say is the true present posture of affaires here of which I have amply inform'd the Lords of Trade, and so cannot be accountable for the consequences. My own ruinous circumstances nothing affect me: I serve the best of Soverains who has formerly releiv'd me out of great distresses, and whilst it is apparent that I suffer in Her service and for asserting Her rights I boldly lay claim to your protection and recommendation for reliefe, *etc.* Signed, Ro. Hunter. 3½ pp. [C.O. 5, 1085. No. 2; and 5, 1091. No. 60.]

Jan. 1.
New York.

251. Governor Hunter to the Council of Trade and Plantations. The Councill's Representation of and remarks upon the proceedings of ye Assembly will sufficiently inform yr. Lordps. of the dismal situation of affaires in this Province soe farr as they relate to H.M. Government themselves and me. I hinted to your Lordps. some time agoe that I was not willing to encourage anything of that nature at that time, but now that there is noe hope of a remedy, when H.M. Council is insulted without cause; their share in the legislation called in question, and H.M. Letters Patents and the powers granted by them set at nought, I cold noe longer discourage soe just an appeal and measures soe necessary for the vindication of that Board, which hath had nothing in view in all their actions but H.M. rights and interests, and for which they suffer at this present time; without being wanting in my duty to H.M. and that justice I owe to them. To make appeare to your Lordps. the little regard is paid here to ye powers granted by H.M. Letters Patents, I must intreat you to cast an eye on ye last page of ye resolves of ye house of Representatives, and then your patience whilst I give you a short account of the

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matters upon which these resolves are founded. The Country here in generall groaned under the want of a Court of Chancery, which had been discontinued for some time before my arrival in these parts. Petitions came thick for opening such a Court, and from some of their own members, upon which I consulted the Councill, they advised the addressing your Lordps. for your opinion on that head, some faults being found with the former constitution. Your Lordps. referr'd me to my Letters Patents, these direct that I shall by and with the advice and consent of the Councill erect constitute and establish such and soe many Courts of Judicature for ye heareing, trying and determining of all causes as well criminall as civill according to law and equity. I referred ye whole matter again to a Committee of the Councill who reported their opinion to me that the Governor is Chancellor by vertue of the custody of the seale of the Province given to him by a particular clause in his Letters Patents, this report is approved by the Councill, upon which I issued a publick notification of that Courts being opened, and the house of Representatives in their angry mood resolved that the erecting such a Court without their consent is against law, without precedent and of dangerous consequence to the liberty and property of the subject. Had I declin'd or delay'd the opening that Court I had beene justly accused and by themselves too of being deafe to ye cries of the people in a matter wherein I was sufficiently impower'd to releive them, and had I done it in the manner they seem to prescribe, who cold cleare me from the just imputation of haveing complimented the Assembly with the powers granted by H.M. to the Governor and Councill exclusive of them at a time too when they seemed to be upon the point of disclaimeing all powers not immediatly derived from themselves. The other matter declared to be against law is the establishing fees without their consent. Your Lordps. well know that by my generall as well as an additionall Instruction for that purpose, I am directed to establish such a table of fees by and with the advice of the Councill here, which was accordingly done and transmitted to your Lordps. Your Lordps. find noe fault with the manner of establishing, tho' you seem to be in some suspence as to some fees contained in the table, for which reason the Councill thought fitt to lett a Bill establishing ye ordinance word for word tho' the title was a bill for establishing fees lye on the table untill further advice from yr. Lordps. These are my Lords the illegal proceedings I stand accused of in their Journals, but by the complements paid me in the joint address of the Councill and Assembly transmitted to ye Earle of Dartmouth by this conveyance, yr. Lordps. will be convinced that their spight is not personal, which for the safety and ease of H.M. Government here, I from my heart wish were soe. Your Lordps. are not ignorant of the complaints of H.M. officers at sea and land relating to the incouragement of desertion from both services in these parts, and ye notifications of the same which I have received from the Lords of the Admiralty. You are likewise noe strangers to ye ruinous state of H.M. quitt-rents here and the frauds in the

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concealment and non-payment of the same. The Council framed two bills (*enclosed*) early in this session to remedy these abuses and sent them to the Assembly for their concurrence where they were turned into ridicule and lay on their table for that purpose but were never vouchsafed one reading. In short after they had spent the greater part of this long session in framing of bills, which they well know ye Council without betraying their trust could not pass, and the remainder in unjust cavils with the Council, not without some oblique strokes at your Lordps., as you'll observe in the close of their answer to the Council's reasons for insisting on their amendments to money bills, they very fairly adjourned themselves to the first Thursday in Aprill next from Nov. 24th last. In ye meantime ye Government is left without support, the officers of it under a necessity of relinquishing their offices or starveing in them, and all the indispensable expence thereof thrown upon me who never yet touch'd one farthing of their moneys. My own private affaires are next to irretreivable, but the hopes I have entertained all along of restoreing the declineing interest of the Crown in this province at last, have supported me under sufferings and discouragements unspeakable, soe your Lordps. must pardon me if I once more repeate that there is noe remedy for those evils or hopes of any on this side, the source of which I think to be apparently a resolution they have taken to oblige ye Crown to a concession that they may new garble their Government after ye Connecticut model. The Acts past this Sessions are, (i.) An Act to authorize *ye surviving Commissioners for the expedition to reduce Canada etc.*, which wants noe remark being only to supply a deficiency in ye former Act. (ii.) An Act *reviveing an Act for the better settleing ye militia.* (iii.) An Act to prevent the *impaireing the fortifications.* (iv.) An Act for *raiseing 2855 oz. of plate.* This is for ye payment for the 150 men continued on foot for ye defence of the frontier this winter. (v.) An Act for *ye Treasurers paying 3750 ounces of plate to ye Governor*, this is noe more than a warrant for the Treasurer's paying to me soe much for ye repaires of ye fortifications of Albany and Schenectady and the payment of the 150 men. (vi.) An Act for *reviveing an Act to prevent the selling or giveing of rum or other strong liquors to ye Indians in the County of Albany.* (vii.) An Act to oblige the *mannors in the County of West Chester to pay their arrears of taxes.* The meaning of this Act is to remedy some inconveniencies that have arrisen from the neglect of some mannors in that county to elect supervisors and collectors, by which means the taxes there have not beene regularly paid. All these Acts are enclosed. The Acts sent up this Session which have not had ye concurrence and consent of ye Council are besides those sent with the Council's representation, which want noe further remarks, vizt. (i.) An Act for *assigneing of Sheriffs*, which needs noe other remark than that it is an Act circumscribing the powers which the Governors have ever beene in possession of, and laying that office under such restrictions as make it impracticable to find in some counties persons soe qualified. (ii.) An Act for

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appointing an agency for New York at Great Britain. Your Lordps. will observe that by this Act ye majority of the Assembly are to nominate such agent and to levy money for his support and a Committee of them even in the interval of ye Session as well as ye Assembly when sitting are to give such directions and informations to ye said Agent as they shall think fitt; by which means the Governor and Councill are excluded from giving him any information or directions. This wants noe further remark, only I must beg leave to inform your Lordps. that the private designe of ye promoters of that Act was to put into that office one Coll. Lodwick mercht. at London, whose letters to John D'Peyster have beene dropt in the streets, and copys thereof sent to most of ye countys since my arrival here in order to obstruct the settleing of a revenue, and I must affirm to your Lordps. that that gentleman's meddling in the affairs of this Province has beene of ill consequence to H.M. interests here at this time. (iii.) *An Act for restraining ye bringing of any personal action in the Supream Court in this Colony* under the value of £20. The Committee of Councill being informed by ye Cheife Justice that in England the restriction is only to 40s., and being in some suspense as to that matter have thought fitt not to make any report of it this Session. I have received a petition from the merchts. of this place representing the inconveniencies and dangers to their trade which must follow upon the new order of the Lords of ye Admiralty for victualling and cleaneing H.M. ships appointed for the service of this Province at Boston in New England, by which means they conceive they will be intirely deprived of that security to their trade intended by the service of those ships, and indeed the passage is soe long between these two places and their returne soe uncertaine that wee can propose but little use of them to ourselves whilst under these orders, of which I have also acquainted the Lords of the Admiralty. Col. Quarry's letter will sufficiently inform your Lordps. of very black practices lately perpetrated in Pensilvania by one Parks master of the ship *St. John Baptist* under the patronage of the Government there. I remember well that last yeare whilst I was there, I was told by many that that ship was impudently loading provision for Petit Guave, tho' she entered and cleared for Jamaica, she performed her voyage to that French port, took in a cargoe there for Old France, but returned with it to Pensilvania. The Collector of New Castle in Pensilvania made seizure of her for trading with H.M. enemies but was forcibly disseized by the Sherriffe of that County, Coll. French, to whom the sloop which she brought with her was consigned by Park in case she should loose company. My repeated advices to the Lieut. Governor of that province together with ye opinions of the best lawyers in these parts cold not prevaile with him to seize Parks and his associates and send them to England for their tryal as ye Act of Parliament against forreign treasons directs, but all was smother'd in a country Court, which acquitted ye traitors, condemned ye vessells and goods, and awarded them their wages out of ye produce thereof; Before this sham tryall at ye repeated instances of Coll. Quarry

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I sent H.M.S. the *Lowstoffs*, Capt. Gordon Commander, with generall orders to seize on his cruize all such persons, their goods and effects, as had maintained any traiterous correspondence or trade with the enemy, who accordingly seized the said ship and sloop in Delaware River, and brought them to this port, all the goods being unloaded by Col. French before he came, by these meanes H.M. is defrauded of a cargoe to ye value of £8000, and a door opened to all such treasonable trade for the future in these parts, if noe method be found to bring these malefactors to condign punishment. As to the Palatins, I acquainted your Lordps. that I had employed 300 of them in the land service under Col. Nicholson's command by H.M. order. Upon their returne to Albany, I there disarmed them again, as I did also the country troops before I disbanded them, they have since used some artifices and made some false allarums in order to induce me to restore their arms but to noe purpose, they are planted where they are covered every way, and whilst they are armed they are ungovernable, 'tis with much concerne that I must acquaint your Lordps. that what from the instigations of their ill neighbours, what from the natural turbulence of their temper I find it hard to keep the generality of them to their duty and the terms of their contract without force. The work is however in as great forwardness as the time would allow, 100,000 trees ready for the manufacture next fall and 10,000 for this spring, the magazine is up, the bridges and roads made ; and in a word everything ready for making the great essay, but to make all sure I humbly offer to your Lordps. that H.M. be addressed to signifye under her royall hand that she expects from them the performance of the terms of their contract, and further that in regard there are two forts now actually a building in the Indian country by her orders, and that the number of regular troops here is much too small for these five garrisons, she would be pleased to augment them to the number of a Brittish batalion at least, and form them into a regiment, the independency creating confusion, by these meanes our garrisons dureing ye warr will be more secure, the Palatins more easily kept to their duty, and ye work be carryed on dureing a peace if need require without them by makeing an allowance to the soldiers of 12*d.* per day extraordinary for working days only. I acquainted your Lordps. how basely Mr. Bridger has endeavour'd to betray this service, he has since wrote to me that it was not by his own will that he absented himselfe, he best knows whose will determined him to soe black a purpose ; his practices with relation to ye Queen's woods by the report of all honest and impartiall men acquainted with that matter, has beene equally vicious, however the Governor of New England has thought fitt to baulk that inquery by appointing his confederates as I am informed for his inquisitors. Of which proceedings some gentlemen of New England have sufficiently informed my Lord High Treasurer. Mr. Richard Sackett who has the direction of the tarr work and understands it much better has never left it since he enter'd upon it, but by indefatigable labour and industry has brought matters to bear a better

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face than formerly and well deserves a reward to which I humbly recommend him. I have as yet noe notice of the payment of any of my bills for the subsistance of that people, notwithstanding which I proceed to imploy all ye creditt I am master of for that purpose in the manner that I am directed by H.M. instructions judging it impossible that this soe universaly beneficiall project should be dropt when it is carryed on soe farr and in soe fair a way. *Encloses* a copy of Transactions with the Indians. All is quiet at present upon the frontiers, but soon after the returne of our troops to Albany a party of about 20 French Indians fell upon two farm houses, murdered two men a boy and a woman and two soldiers, and two small children, but lost three of their own number of men in the action, after which they set fire to the houses and run away. *Signed*, Ro. Hunter. *Endorsed*, Recd. April 10, Read June 3, 1712. 12½ pp. *Enclosed*,

251. i. Address of the Council of New York to Council of Trade and Plantations. Dec. 13, 1711. Wee have all along conceived hopes from ye great prudence and equall administration of our Governor, that ye Assembly would at last be brought to settle a revenue for ye support of Government as formerly, wch. is ye reason we have not presumed to trouble your Lordps. with our thoughts on the sad state of affairs here, but finding our expectations frustrated, we should be unfaithfull to ye trust H.M. has been pleased to honor us with to be any longer silent in a case which so much requires our applicacon and at a time when by a too long neglect of proper remedys ye officers of ye Governmt. are languishing and H.M. interest lyes gasping. We therefore humbly represent to your Lordps. that ye Revenue by which H.M. Governmt. here has been supported ever since it was immediately under ye Crowne expired the 18th of May, 1709 ; that H.E. our present Governor has done all that it was possible for man to do to win ye Assembly to sittle an honourable support of Governmt., but all the faints they have made towards it have been to pass some bills in a very new and unusuall manner for levyng money, which if they would raise ye summes it was pretended, or if those summes would come within any manner of prospect of answering ye exigencies of Governmt. ye nature of the bills themselves was such as is very unprecedented and which we could not pass without departing from our duty, we shall give [y]our Lordps. instances in some of these bills, and crave leave to make a few remarks upon them, and they shall be only those of this session, because we find H.E. has acquainted yr. Lordps. with their proceedings of the last yeare. The first is a bill *for levyng a duty on chimneys and a poll*, by which ye money thereby intended to be raised is given to H.M. towards ye support of the Government and is directed to be paid to ye Treasurer of ye Colony, who is not thereby made accountable to

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anybody, ye Councill amended it by leaving out ye word Treasurer throughout ye Bill, and making ye money payable to ye Receiver General (as has been ye practice with respect to money given for ye support of Government) and making him accountable to H.M. to ye Governor and Councill, and likewise to ye Assembly, which latter tho' it be a concession never before granted to the Assembly for money for support of Governmt., we yet ventured to give them that we might thereby remove their objection of ye misapplication of the Revenue. The next is a Bill *for laying a further duty on ye tonnage of vessells and on slaves, and for repealing ye Acts heretofore made relating to those dutys.* By this Act the Assembly intended that all vessells not wholly own'd by ye inhabitants of this Province should pay ye tonnage, but by mistake they had subjected all vessells wholly owned by ye inhabitants of this Province to those dutys, which we amended, ye money intended to be raised by this bill is given to H.M. towards ye support of ye Government and directed to be paid to ye Treasurer of this Colony, and to be collected by an officer of the Assembly's appointing and named in ye Bill who is thereby obliged to give security to ye Speaker a thing never before heard of, this we thought likewise of such consequence that we amended it by declaring ye Receiver Generall to be ye proper officer for collecting it by obliging him to give security to H.M., and by directing ye money to be issued pursuant to H.M. Instructions. By this Bill likewise ye officer for collecting ye dutys was made accountable to ye Governor and Assembly without taking any notice of ye Councill, this also we amended, making him accountable to ye Governor, Councill and Assembly. These bills with ye amendments which we herewith lay before your Lordships, being sent back to ye Assembly, we expected they would either have agreed to ye amendments, or else that they would have signified their disagreement in such manner as might have lead us by proper conferences into ye debate of the reasonableness of them, but instead of that they returned those two bills with a message that their house is well assured ye Councill cannot but be sufficiently informed of ye undoubted right and constant resolves of their house not to admit of any amendmts. to be made by us to money bills; this message put an end to our first expectations, and obliged us to think of some measures for asserting our right which they thus call is question. Accordingly we drew up some reasons for our insisting on that right which we sent to them and which your Lordships will receive. To these reasons the Assembly sent us an answer, *enclosed.* So that neither of the bills are past. Your Lordps. we believe will find something

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very new and extraordinary in this answer of ye Assembly, first that it calls in question any share we have in ye legislacon which is given us by ye Queen's commission that gives this Province ye indulgence of an Assembly, and we believe it is ye first, and hope it will be ye last instance of this kind. In next place it starts a notion of the Assembly having an inherent right to dispose of the freemen's money. We pretend no right to dispose of their money without ye Assembly, and that ye freemen can't be divested (as the Assembly call it) of their property without their consent, all that we insist on is ye right we have to amend money bills, and that we have such a right your Lordships have formerly given your opinion to ye then Lord Cornbury, when he was our Governor, and there never was so great occasion as now to exert it, seing we are about to be deprived of it by a very illegicall conclusion. We shall say nothing to what ye Assembly mention of yr. Lordships' opinion, for it wants not our assistance, as to ourselves we beg leave to assure your Lordps., that in this particular and in all others it will be ever had in ye greatest esteem by us, and to your Lordps. we do with great chearfullness submit these our proceedings. These two are all ye bills past by ye Assembly this session for giving money for support of Governmt., and are the first since H.E.'s arrivall wherein ye money intended to be raised is declared to be for that use. We therefore beg your Lordps.' patience whilst we say a few words in generall concerning our amendments, *etc.* The practice here (and we believe in H.M. other plantations) being to give money generally for ye support of Government, such money has been made payable by ye Acts that gave it to ye Receiver Generall who is H.M. officer, the Assembly notwithstanding have by these bills directed it to be paid to ye Treasurer of the Colony who is their officer for money raised for extraordinary uses and not for ye support of Governmt. ; we thought it our duty not to give way to an innovation so little agreeable as we conceive to H.M. Instructions and her prerogative of appointing her own officers for ye receiveing her money and therefore we made the amendments of this kind. Some time after these two bills were sent up to us by the Assembly, they sent us two others, one *for ye Treasurer to pay to H.E. 8025 ounces of plate*, by which bill they direct the money to be paid to H.E. the Governor or his order for firewood and candles for the garrisons at New York and Albany, an Indian interpreter and for a smith to reside among the Indians and other support of Government until June 13, 1712, by which the summe is appropriated to those particular uses. The other, *for sundry summes to be paid by ye Treasurer*, whereby there is soe much appropriated to severall officers of

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the Government and soe much to ye Governor for extraordinary uses. These likewise being bills of a very unusual and extraordinary nature wee could not consent to them in the termes wee received them, apprehending the ill consequences that would flow from thence, some of which wee conceive are that ye Assembly intending H.E. should have noe more then £1000 a yeare this country money for his sallary, wee should by our concurrence with ye Assembly as much as in us lay, question H.M. undoubted right to appoint such sallaries as she thinks convenient for her officers. In ye next place (if this concession be drawne into practice) the officers will become subservient to ye pleasure of those who pay them, and by the same rule they are retrenched this year ; the same method may be pursued from yeare to yeare till at last they have nothing left but the name of an office to subsist them. However the Assembly pretending they had money in their Treasurer's hands, which they were willing to apply to the support of Government, wee were willing to goe with them what lengths wee could, and therefore consented to those bills with the amendments which your Lordships will receive in them hoping by this means they might be brought to provide for the deficiencies, but this gave noe satisfaction, the Assembly called them money bills, and resolved not to admitt of any amendment, soe that they remaine unpast and ye Government without a shilling to support it. It is with great greife that wee are constrained to represent ye miserable state of H.M. Government here to your Lordps. Yet ye duty wee owe H.M. and ye obligation of our oaths oblige us to speak at this time, *etc.* This Government has beene without any support ever since H.E. Col. Hunter's arrival, whose justice and prudent administration, if there were noe other consideration have deserved a quite different treatment. Wee have done all that has layne in our power to procure a support of Government, but wee have noe hopes that by any arguments of ours wee shall obtaine what wee soe much desire. Your Lordps. will easily beleive it is very greivous to us to see ye Government in this deplorable condition, and we tremble to think of what worse consequences may ensue if some proper remedys may be not speedilly applyed. To your Lordps. therefore wee address ourselves to make known to H.M. the state of her Government here. Wee shall give your Lordps. one instance more of ye Assembly's preemptoriness not to admitt of any amendment to money bills. And it is in the Bill for *paying the arreares due to ye forces late raised in the County of Suffolk for ye expedition against Canada in 1709*, whereby ye money is not given to H.M. her heires *etc.*, the Councill amended that, but the Assembly

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had recourse to their former resolve not to admitt of any amended to money bills, tho' they know H.M. lately rejected one of their Acts *for raiseing* £600 *for ye City of New York* because it was not given to H.M., her heires and successors. Soe that bill is not past. Wee shall not take up so much of your Lordps.' time as to enter into any argument for this our right to make amendments to money bills. Your Lordps. who best know them have already given your opinion therein, and you will by these papers see what the practice has been which ye Assembly doe not nor can denye. Wee desire therefore that ye determination of this dispute betweene us may be signified in such a manner as may put an end to it. Thus much for the bills. Wee begg your Lordps.' patience a little longer whilst wee take some notice of two resolves of the Assembly of Nov. 24th last, the very day they were pleased to adjourn themselves on till the first Thursday in Aprill next. H.E. did some time since with the advice of ye Councill, and the great necessity the Province was in of such a Court, open the Court of Chancery, himselfe being Chancellor by ye delivery of ye seales as ye majority of ye Councill were of opinion. The Assembly ye last day of their sitting resolved that ye erecting a Court of Equity without consent in Generall Assembly is contrary to law without precedent, and of daingerous consequence to ye liberty and property of ye subject. Whereupon it may be observed that H.M. has given to ye Governour by her Commission full power and authority with the advice and consent of ye Councill to erect, constitute and establish such and soe many courts of Judicature and publick justice within this province as ye Governor and Councill shall think fitt and necessary for the heareing and determining of all causes as well criminall as civill according to law and equity, which your Lordps. were pleased to observe to H.E. June 29th. If therefore the first part of this resolve be true, H.M. has given to ye Governor and Councill power by her said Commission to doe that which by law she cold not ; but if H.M. can lawfully give such a power, then wee shall be proud to forget that ever a resolve of this kind was past by a people soe graciously distinguished in many instances of H.M. princely favour. It is not without precedent that a Court of Chancery has beene erected in this province without consent in Generall Assembly, and if the erecting of it without their consent be lawfull, wee are very well assured that it will not be attended with any daingerous consequences. The other resolve is, that the establishing fees without consent of ye Generall Assembly is contrary to law. The power of establishing of fees is likewise given to ye Governor with ye advice

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and consent of the Councill, not only by an article in H.M. Generall Instructions, but likewise by a perticular and additionall Instruction grounded upon H.M. rejecting an Act of Assembly past here in 1709 *for regulating and establishing fees*. If then H.M. can lawfully give such a power, what must these resolves meane? *Signed*, Sam. Staats, Robt. Walter, G. Beekman, Rip Van Dam, Caleb Heathcote, John Barbarie, Tho. Byerley. *Endorsed as preceding. Copy.* 10½ pp.

251. ii., iii. Copy of proceedings of the Council and Assembly of New York relating to money bills, Nov. 1711. *Endorsed*, Recd. April 10, 1712. 2 pp.

251. iv.-xv. Copy of 5 Bills of New York with the Council's amendments. *Endorsed as preceding.* 24 pp.

251. xvi.-xviii. Copy of three bills of New York with Col. Hunter's remarks. *Endorsed as preceding.* 6 pp. [C.O. 5, 1050. Nos. 45, 45 i.-xviii.; and (without enclosures) 5, 1123. pp. 1-18; and (covering letter and enclosure i. only) 5, 1091. Nos. 58, 61; and (duplicates) 59, 64.]

Jan. 1.
New York.

252. Governor Hunter to the Earl of Dartmouth. I know I am troublesom but know noe remedy, were my private interests only at stake, though I have done nothing to forfeit my claime to a share in that protection yr. Lordps. has ever afforded the distressed, I would suffer in silence, but now that H.M. interests in this province seem to be at ye last gasp, and all efforts on this side fruitless, my silence would be criminall, and an unexcusable breach of the trust repos'd in me. *Refers to preceding letter and enclosure.* The unhappy miscarriage of ye intended expedition agst. Canada has occasioned also the inclosed address to H.M. from ye Councill and Assembly of this Province, to which I humbly intreat your Lordp. will be pleased to procure access. *Signed*, Ro. Hunter. 1 p. [C.O. 5, 1091. Nos. 62; and (duplicate) 66.]

Jan. 3.
Boston.

253. Lt. Gov. Vetch to the Earl of Dartmouth. *Refers to former letters.* This comes more particularly with relation to a company of Indians which I proposed to General Hill to compose a part of the garison of Annapolis Royall: who would be of greater use and service then double their number of Brittish troops. I gave your Lordship the trouble of the copy of my letter to General Hill together with his to me approving the same, and ording me to detain one of the New England companys of Indians att Annapolis untill another company should be raised by Major Livingston, but the ship in which both companys of Indians were lost the convoy and runn away to Boston (as did severalls of the transeports who had part of our garison aboard) and before Generall Hill's letters or mine to Colonel Dudley to acquaint him of the same could reach him they were all disbanded and dispersed: as Generall Nicholson cann more fully inform your Lordship: however finding Major Livingston here att my arrivall and by severall accounts from prisoners that came from Canada of

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the Frenchs and Indians from thence designing to disturb the garison of Annapolis Royall, I immediately dispatched him with a commission to raise a company of Indians, to be upon the establishment of said garison as Generall Hill had directed, and wrote to the severall Governours to assist him *etc.*, the which being now almost compleated will be ready to embarke here : as soon as the season of the year will allow them, which is now very sever. The company consists of 58 officers and men. The officers have been in pay since the beginning of November *etc.* *Prays* that the company may be upon a settled establishment, and if the garison be formed into a regiment, that it may be incorporated into it, and that meantime the bills drawn for their pay may be punctually payed, *etc.*, *etc.* *Signed*, Sam. Vetch. 1 p. [*C.O.* 5, 9. No. 104 ; and (*duplicate*) 104 (i).]

Jan. 3.
Boston.

254. Col. Tailer to [? *the Earl of Dartmouth.*] Col. Dudley treats me with all respect, and has given me the post my predecessor had. Since my arrivall I recd. H.E.'s commands for the reviewing our frontiers, and to put them in a poster of defence, wch. I have don'. I must begg leave to remind your Lordship of Mr. Secretary Granvill's report referring to my pay, for I have never recd. one farthing, *etc.* *Signed*, William Tailer. 2 pp. [*C.O.* 5, 898. No. 23.]

Jan. $\frac{3}{14}$.
Riga.

255. Mr. Whitworth to Mr. Popple. *Reply* to Nov. 13. In this country little or no tar is made, nor in Prussia, but as soon as ever I get to Petersburg, I shall send the most particular accounts I can procure, *etc.* *Signed*, C. Whitworth. *Endorsed*, Recd. 13th, Read 25th Feb., 17 $\frac{1}{2}$. 1 p. [*C.O.* 5, 1050. No. 36 ; and 5, 1122. pp. 488, 489.]

Jan. 4.
St. James's.

256. Memorandum of Warrant for Thomas Maxwell to be of the Council of Barbados. [*C.O.* 324, 32. pp. 116.]

Jan. 4.
Whitehall.

257. Council of Trade and Plantations to the Earl of Dartmouth. Edward Hyde having given the usual security as Governor of Carolina, *etc.*, we enclose draught of Instructions for H.M. signature, being to the like effect as those given to all Proprietors on similar occasions. *Autograph Signatures.* $\frac{1}{2}$ p. *Annexed*,

257. i. Instructions to the Lords Proprietors of Carolina. [*C.O.* 5, 1292. pp. 335—371 ; and (*without enclosure*) 5, 306. No. 5.]

Jan. 9.
Whitehal.

258. Mr. Blathwayt to Mr. Popple. "The Commissioners for taking the public accounts having by their precept directed me to lay before them from time to time the accounts of H.M. Plantation Revenues under my audit," *requests* delivery of accounts brought home by Major General Handasyd. *Signed*, Wm. Blathwayt. *Endorsed*, Recd. Read Jan. 11, 17 $\frac{1}{2}$. 1 p. [*C.O.* 137, 9. No. 59 ; and 138, 13. p. 378.]

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Jan. 9. **259.** H. M. Warrant to the Attorney or Solicitor General to prepare a bill appointing William Cock Secretary of Virginia, and revoking that of Edmond Jennings. *Countersigned*, Dartmouth. [C.O. 324, 32. pp. 116, 117.]
St. James's.
- Jan. 10. **260.** Order of Queen in Council. The Council of Trade and Plantations are to examine and report how far Major Douglas hath complied with his Instructions relating to the murder of Governor Parke, etc. *Signed*, Edward Southwell. *Endorsed*, Reed. Read Jan. 15, 17 $\frac{1}{2}$. 1 p. [C.O. 152, 9. No. 93; and 153, 11. p. 414.]
St. James's.
- Jan. 11. **261.** Mr. Popple to Wm. Blathwayt. In reply to Jan. 9th, encloses copies of accounts of H.M. Revenue of Jamaica 1709—1711. [C.O. 138, 13. pp. 379, 380.]
Whitehall.
- Jan. 12. **262.** The Earl of Dartmouth to the Council of Trade and Plantations. *Refers* following for their report. *Signed*, Dartmouth. $\frac{1}{4}$ p. *Enclosed*,
Whitehall.
262. i. Petition of John Frere to the Queen. *Prays* to be restored to his precedency in the Council of Barbados, the name of Timothy Salter, though appointed subsequently having been by mistake inserted before his in the list of Councillors. 1 p.
262. ii. Certificate from Ld. Dartmouth's office that John Frere was appointed some months before Timothy Salter in 1709. *Signed*, C. Delafaye. $\frac{3}{4}$ p. *The whole endorsed*, Reed. 15th, Read 17th Jan., 17 $\frac{1}{2}$. [C.O. 28, 13. Nos. 79, 80, 80a.; and 29, 12. pp. 398—400.]
- Jan. 14. **263.** Council of Trade and Plantations to the Queen. *Recommend* John Wentworth to be of the Council of New Hampshire in the place of Winthrop Hilton, etc. [C.O. 5, 913. p. 369.]
Whitehall.
- Jan. 15. **264.** Mr. Attorney General to the Council of Trade and Plantations. I have no objection in point of law or otherwise to the Act of Barbadoes *to dock the entail of certain lands, etc. in the parish of St. Philip and to vest the same in Benjamin Chapman, planter, in fee simple* (v. Nov. 2, 1711.) *Signed*, Ed. Northey. *Endorsed*, Recd. 10th (*sic*) Read 29th Jan., 17 $\frac{1}{2}$. $\frac{1}{2}$ p. [C.O. 28, 13. No. 82; and 29, 12. p. 404.]
- Jan. 15. **265.** Council of Trade and Plantations to the Earl of Dartmouth. Enclose addresses from the Council and Assembly of Jamaica (v. Oct. 18, 1711) to be laid before H.M. *Autograph signatures*. 1 p. [C.O. 137, 46. No. 2; and 138, 13. p. 383.]
Whitehall.
- Jan. 18. **266.** Mr. Attorney General to the Council of Trade and Plantations. I have perused the Act of Barbadoes, *to render more effectual certain legacies bequeathed by Capt. Williams to the parish of Christ Church* (v. Nov. 2, 1711), and am humbly of

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opinion that the same is not fit to be confirmed, for that the occasion of passing the bill being to capacitate the Churchwardens of the said parish to take an assignment of lands, which they could not take without the help of an Act, not being a Corporation, and for which purpose the Act was reasonable, this Act does enact that all purchasers under the Churchwardens of the land so to be conveyed to them by the Serjeant-at-arms, who had seized the lands pursuant to a decree of the Court of Chancery there, shall hold and enjoy the same against the heirs, exors. admors. and assigns of Capt. John Williams, who by the act is stated to have devised a charity of £600 to that parish, and the Churchwardens whereof had obtained a decree against Richard Williams, his admor. with his will annexed for payment of the same. On which decree lands of inheritance of the said John Williams had been seized, which I take to be unjust, for that it does not appear that the testator had charged his real estate with that legacy, and for that the heir of the testator was not made a party in that suit, and has a right to controvert that matter. And also for that the purchaser under the Churchwardens are enacted to hold and enjoy against the assigns of John Williams, which will make void the mortgages, conveyances and settlements made by the testator in his life time. *Signed*, Ed. Northey. *Endorsed*, Recd. 22nd, Read 29th Jan., 17 $\frac{1}{2}$. 1 $\frac{1}{4}$ pp. [C.O. 28, 13. No. 81; and 29, 12. pp. 402, 403.]

Jan. 19.
St. Jago de la
Vega.

267. Governor Lord A. Hamilton to the Council of Trade and Plantations. By this opportunity of the *Anglesea* man of war, (the first that has offer'd since my last, a duplicate whereof goes herewith inclosed) I transmit to your Lordps. the rest of the Acts past the last Assembly, together with the Votes of the Assembly, Minutes of Council, *etc.* Your Lordships will observe the usual supplies given, and the sum of £5000 appropriated to the Revenue, which has not been obtain'd without some difficulty, tho' it be calculated but to answer the occasions of the ensuing year. This being an extraordinary demand, makes me think it necessary to acquaint your Lordships from what circumstances I apprehend it to have proceeded; and in order to that I have already informed you, that at my arrival here, I found a Treasury (if £3000 per annum deserves that name) not only exhausted but in debt, the Queen's House and all publick buildings in a ruinous condition, to that degree that less than £2000 has been computed, would not suffice for repair of the Queen's House alone. But, my Lords, not to mention these extraordinary occasions, I confess it has been some surprize to me to find that by the computation of the annual disbursements out of the Revenue, they very near amount to double its incomes; as your Lops. may observe under particular heads in the Journal of the Council: and this will lay me under a necessity of expecting continual assistances from the Assembly: nor can I well conceive how the Revenue here is to be improved. The Quit-rents (I am affraid) are ill collected; but am told there is no way of ascertaining them better, without a general survey, which would be of more charge

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than profit. The escheats, which were a considerable branch formerly, are by the Act for quieting possessions pretty much abated in number ; and these that are found, since H.M. positive Instructions to the late Governor not to grant them untill application had been first made to your Lops. remain in the possession of such persons as have prosecuted them to judgement in the Queen's name, without any application at all for grants for them, contenting themselves with the possession, not so much as paying the quit-rent for them, where they are of land, and the value found by the jury, as well as the quit-rent, is by this means lost to the Revenue. Your Lops. may easily conceive, I looke upon this to be an abuse, and expect that I'll endeavour to remedie it, which I have not hitherto been able to do, tho' I have given assurances I would recommend no person to your Lops. for the favour of such grants, but those who had discover'd them, and been at the charge of the prosecutions : and indeed unless that be a rule, I must take the liberty to acquaint your Lops. no such discoveries will be made. As to the other Acts past, I humbly recommend them to your Lops. as fit for H.M. approbation : that for excluding Members of the Council or Assembly being Commissioners on publick funds, I hope may have the desired effect : and indeed I find we are too apt in this warm climate to fall into heats and animosities on the most trifling occasions, not to think it expedient to remove all that's possible. That with respect to orphans and executors I am perswaded will sufficiently recommend itself to your Lops. patronage, as an Act that will give as much satisfaction to the merchants in Great Britain, as to the generality of this Island. The other concerning fowling and fishing, your Lops. won't think of consequence enough to be refused ; as carrying with it no great prejudice, if little good. The close of this session, I first gave them a short prorogation, and a little time after, prorogued them further, till Aug. 1st, when I intend they shall meet to do business. I have made it my business since to inform myself more particularly of the state of the Island, and to visite the most considerable parts of it ; and am very [*?* *sorry*] to be obliged to tell you that I have found it in a much worse condition than I could possibly have expected. The fortifications that are, are slight, ill contrived and out of repair : to these I have already given orders both for repairs and some new additions, of which I will give your Lordps. at another occasion, a particular accot., with the plans thereof. The want of inhabitants is not so easily remedied, and this misfortune has received a considerable addition by the late mortality that has been here ; But at present the Island is again become more healthy. The Regiment here is very much reduced, not having for a considerable time past any supply of recruits come to it ; and one half of the officers are absent from their duty. All this is attended with a great dearth and scarcity of provisions, having had no supplies thereof from Europe for several months past. Some negroes said to have been provided, have committed the greatest of villainies in murdering their mistress and attempting further mischief ; some have been

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brought to condign punishment, several have escaped, and I have ordered a party after them : I wish these necessities may not occasion others to follow their example ; if the cause, which is to be fear'd should remain : so that in all respects this Island is at present weak and in a bad condition. I think it my duty to acquaint your Lops. that a privateer of this Island having some time ago taken a vessel bound for the Havanah, wherein the Governor, President and Captain General of the Spanish coast of St. Domingo happen'd to be passenger ; designing from thence to Old Spain ; I detain'd him upon account of H.M. subjects that are kept prisoners at Lima, concerning whom I had the Secretary of State's directions before I left England. I take this to be a favourable occasion for reclaiming them, and in order thereto, I have caus'd him write to the Vice-Roy of Peru and President of Panama (to whom I have also written on the same occasion) that he is detained by way of reprizal, for these prisoners, till I am assured that they are set at liberty : and concluding the effect of these letters will be the same as if he were longer kept here, I have with the unanimous advice of the Council, sent him on board a man of war bound home with this Fleet. I likewise send another prisoner which I must particularly mention to your Lops., that is, one Nicholas Gualtier, concerning whom I must referr your Lordps. to the opinion and advice I have received of the Council, as you will see the same at large towards the latter end of the Minutes of Council herewith sent. It is by the unanimous advice of the Council that I dispose of him thus ; and not suffer him to go to Curacao, under the pretence of being a naturalized subject of Holland, according to the prayer of his petition. As this might possibly be a national dispute, it deserved all the deliberation it was capable of ; and I hope your Lops. will be of opinion it has had it. I am perswaded I need not trouble your Lordps. with a repetition of what I wrote formerly, touching the relief of those aggrieved by the bonds given for the duties on prize goods. As for news from these parts, what follows is all I can acquaint your Lops. of at present. There is advice from the Havanah of the latter end of November last, that the quick-silver ships were arrived there from La Vera Cruze, and that the late Vice-Roy of New-Spain (the Duke of Albekirk) is on board them ; and that the Duke of Linaxis now governs that Kingdom in his stead. The Barlovento Fleet was likewise arrived at Puerto Rico or St. Domingo by this time, to pay the guarrisons of those places. From Carthagena we hear that a packet boat arrived there from old Spain, above two months since, with orders to recall Don Carlos D' Suere, Lieutenant-Governor of that city, upon some suspitions of his keeping a correspondence with the enemies of his master ; and soon after sail'd in the said packet-boat. The Marquis de Villa Rocha late President of Panama is gone to Spain ; and Don Joseph de Armesago has succeeded him in that Government. The Marquis de Castell dos Rios Vice-Roy of Peru, died some time since, and that kingdom is govern'd now by the Bishop of Quito, *etc.* *P.S. Refers to enclosures.* I have not received any of your Lordships commands since I left Eng-

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land. *Signed*, A. Hamilton. *Endorsed*, Recd. May 3rd, 1712.
Read July 17th, 1713. 6½ pp. *Enclosed*,

267. i. Exports from Jamaica, March 25, 1709—Sept. 29, 1711. *Number of ships*, to England, 157, Plantations, 111. *Sugar*, to England, hhds. 24,985, tierces 41, barrils 156, casks 47, chests 22; to Plantations, 1081 hhds., 73 tierces, 341 barrils, 4 casks, 25 chests, 1 box, 6200 lb. *Sugar*, clay'd and white, to Plantations, 1 tierce, 4 loaves. *Molosses*, to England, 89 hhds.; to Plantations 13 pipes, 315 hhds., 62 tierces, 17 barrils, 4 jars. *Rum*, to England, 16 buts, pipes and puncheons, 12 hhds., 2 tierces, 4 barrels, 2 casks, 1000 gallons; to Plantations, 105 buts, pipes and puncheons, 65 hhds., 105 tierces, 31 barrels, 39 casks, 12,890 gallons, 4 gross bottles. *Lime juice*. To England, 2 puncheons, 43 hhds., 10 tierces, 22 barrels, 63 casks; to Plantations, 2 puncheons, 8 hhds., 15 tierces, 6 barrels, 23 casks, 150 gallons. *Piemento*, to England, 32 pipes, 207 hhds., 54 tierces; to Plantations, 7 tierces. *Cocoa*, to England, 41 pipes, 189 hhds., 42 tierces, 100 barrels, 557 casks, 1804 seroons, 440 bags, 8000 lb. to Plantations, 12 pipes, 6 hhds., 26 tierces, 33 barrels, 50 casks, 121 seroons, 84 bags, 50 lb. *Indico*, to England, 5 tierces, 858 barrels, 548 casks, 1 box; to Plantations, 12 barrels, 5 casks, 2 boxes, 6 bags, 290 lb. *Madera*, to Plantations, 354 pipes, *Canary*, 32. *Sarsaparilla*, to England, 1 hhd., 1 cask, 212 bales, 800 bags, 16 bundles, 18 boxes, 16000 lb. *Cinamon*, to England, 7½ tuns, 1 fat, 2 hhds., 1 barril, 10 bales, 342 bags, 3 chests, 2200 lb. *Piemento*, to England, 329½ barrels, 364 casks, 70 bags, 5000 lb.; to Plantations, 25½ barrels, 16 casks, 4 bags, 180 lb. *Caskarilla*, to England, 3 casks, 4 seroons, 4 cases. *Chana Root*, to England, 15 bags. *Tortois-shell*, to England, 1 hhd., 7 barrels, 8 casks, 1 box. *Vigonia wool*, to England, 2 hhds., 1 tierce, 72 bags. *Spanish wool*, to England, 99 bags. *Logwood*, to England, 898½ tuns, 3075 lb.; to Plantations, 6 tuns. *Fustic*, to England, 1188 tuns, 580 sticks, 2400 lb.; to Plantations, 281 tuns, 2300 lb. *Logwood and fustick mixed*, to England, 38 tuns. *Lignum-vitæ*, to England, 1880 lb.; to Plantations, 6 tuns, 2300 lb. *Camwood*, to England, 25 tuns, 1505 sticks. *Mohogony wood*, to England, 2200 feet, *Nicorogo wood*, 52 tuns, *Stockfish wood*, 14 tuns. *Manchaneel*, to Plantations, 212 feet. *Hyppocuana*, to England, 1 barrel, 2 casks, 19 seroons. *Cortex Winterania*, to England, 20 cases, 104 bags, 1400 lb. *Cortex citerania*, to England, 1 bag. *Jesuits bark*, to England, 8 chests, 6 boxes. *Snuff*, to England, 65 barrels, 35 casks. *Furs*, to England, 5 hhds., 7 cases. *Aneta*, to England, 2 casks, 1 seroon. *Spanish tobacco*, to England, 10 hhds., 52 packs; to Plantations, 3785 lb. *Malagete*, to England, 49 buts, 1800 lb.

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Balsom, to England, 1 barrel. *Ebony*, 13 tuns. *Chocolate*, to Plantations, 1 barrel. *Cotton*, to England, 2210 bags; to Plantations, 200 bags. *Ginger*, to England, 7552 bags; to Plantations, 153 bags. *Elephants teeth*, to England, 6517. *Cassia fistula*, 3 tierces. *Hides*, to England, 4452; to Plantations, 130. *Sides of Leather*, to Plantations, 40. *Pitch*, to England, 10 barrils; to Plantations, 1 barril. *Negroes*, to Plantations, 947, *Indian slaves*, 4. *Salt*, to Plantations, 1500 bushels. *Brandy*, 10 quarter casks, *Hungary water*, 33 bottles, flour, 361 barrils, and a few other small items. *Endorsed as preceding.* 2 pp.

267. ii. Imports to Jamaica, March 25, 1709—Sept. 29, 1711. *Number of ships*, from Great Britain, 104; from Plantations, 207. The imports consist chiefly of provisions (beef, flour, beer, wine, butter, cheese, fish, pork, *etc.*), timber, elephants' teeth, sarsaparilla, pitch, tar and 11,137 negroes, by separate traders. *Same endorsement.* 1 p. [*C.O.* 137, 10. Nos. 6, 6 i., ii.; and (*without enclosures*) 138, 13. pp. 440—450.]

Jan. 19.
St. Jago de la
Vega.

268. Governor Lord A. Hamilton to the Earl of Dartmouth. I need not trouble your Lop. with a repetition of what I wrote (Oct. 18) in relation to the Governor of the Spanish coast of St. Domingo; *etc.*, *etc.* In the minutes of the Council, now transmitted to the Lords Commissioners of Trade, the following character is given of the said Governor, vizt., that he is a person intirely in the interest of France, and a creature of the French Court; that, by a letter of his formerly intercepted, it appear'd he had endeavour'd to inveigle several Irish Papists settled in H.M. Colonies; alleadging it was for their interest to desert the tyranny these Heretick Dogs exercis'd over them; with some other indecent expressions. Your Lop. will see among his papers, a particular printed accot. of his name, family, titles and pretensions at the Court of Spain, by a full enumeration of his services, *etc.* He was designing from the Havannah for old Spain, to answer to some complaint exhibited there against him. *Repeats concluding part of preceding.* Signed, A. Hamilton. 3½ pp. [*C.O.* 137, 51. No. 58.]

Jan. 20.
St. James's.

269. H.M. Licence to Thomas Hodges, Attorney General of Barbados, to stay 6 months longer in England, for the recovery of his health, he appointing a deputy approved by the Governor, *etc.* [*C.O.* 324, 32. pp. 117, 118.]

Jan. 21.
[1711=12?].

270. Petition of John Collins, Governor of Newfoundland, to the Queen. In Dec. 1708, St. John's Fort having been surprized by the French, petitioner, being commander of the Militia, raised the best force he could and attempted its relief, with great hazard of his life. He was carried away prisoner to Placentia. Commodore Taylor, Oct. 1709, appointed him Governor and Commander in Chief of the Fort and Harbour of St. Johns,

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and all the sea-coast between Ferryland and Carbonere Island, Captain Lloyd being carried into France, and since kill'd there. This post he has held to the general satisfaction, at his own great charge hitherto. *Prays* to be allowed the Governor's pay and to be continued in the Government. 1 p. [C.O. 194, 24. No. 12.]

[Jan. 21]. **271.** (a) Address of Inhabitants of Newfoundland to the Queen. *Recommend* John Collins (*v. preceding*) to H.M. favour. His extraordinary vigilance in guarding and repairing the Fort and regulating the Militia have been manifested to our entire satisfaction *etc.* *Signed*, "by all the best inhabitants that are masters of families." 79 *signatures*. 1 p. *Joined to*,

(b) Address of Merchants and Masters of ships trading to Newfoundland to the Queen. *Recommend* John Collins to H.M. to be confirmed in the Government of Newfoundland and rewarded for his great expence in repairing the Fort *etc.* 65 *signatures*. *Parchment*. 1 p. [C.O. 194, 24. No. 7.]

Jan. 21. **272.** Two Copies of above petition and addresses, with copy of Commodore Taylor's Commission to John Collins, St. John's, Oct. 6th, 1709. *Printed*. 1 p. [C.O. 194, 24. Nos. 5, and 6; and 194, 23. No. 1.]

Jan. 21. **273.** Mr. Harley to Mr. Popple. *Encloses following*. The Treasury
Chambers. Lord High Treasurer desires a report from the Council of Trade and Plantations, as to the directions that were given for building for the said house, and why they have not been complied with, as also their opinion whether it may be reasonable, that the said allowance in lieu of house rent should be continued any longer, and if so out of what the same may be satisfied, with such other observacons as their Lordps. shall think proper. *Signed*, T. Harley. *Endorsed*, Recd. Jan. 21st, Read Feb. 25th, 17¹/₂. *Ad-dressed*. 1 p. *Enclosed*,

273. i. The Earl of Orkney to the Lord High Treasurer. Whereas the Govnt. of Virginia ever since the settle-ment of that Colony in the Crown have allowed £150 per annum towards the renting of a house for the Govr., but about 4 years past the said £150 was taken away by the late Lord Treasurer, upon the supposition that as H.M. had recommended to the General Assembly that a house shou'd be built by them, for the honor of H.M. and the Govt. there, which they with great alacrity and cheerfulness embarked in, and have made such advances therein that the said house is built and cover'd, but the great disaster of the war, and the low ebb the prices of tobacco have been at, and still continue, and the publick Treasury of Virginia being exhausted, the country is not in a capacity to compleat the same, and Col. Spotswood has by his repeated letters to me desired I wou'd lay this hardship before your Lordship. Besides the emoluments of that Govnt. are much

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impaired, he is in a house which he pays rent for and humbly prays your Lordship will permit him to reassume the payment of the £150 out of the Govnt. there, untill the said house be fully compleated, *etc.* *Copy.* 1½ pp. [C.O. 5, 1316. Nos. 78, 78 i.; and 5, 1363. pp. 392—394.]

Jan. 25.
Maryland.

274. Edward Lloyd, President of the Council of Maryland, to the Earl of Dartmouth. The occasion of this is to acquaint you that on Oct. 3 last, at the provincially Court, one Susannah Puckham spinster, a poor unfortunate person, was try'd for the murder of her bastard child, which she alleadged was borne dead, and upon the character given her by her neighbours, it was the opinion of most people at the tryall that the child was borne dead, yet the jury pursuant to the express direction of the Stat. 21st James could not but bring her in guilty, she living at a remote plantation, and the rest of the small family being all absent from home at the time of her delivery, whereupon H.M. Justices of that Court represented her to me as an object of the Queen's mercy *etc.*, which I humbly desire your Lordship will represente to H.M. *etc.* *Signed,* Edwd. Lloyd. *Addressed.* 1 p. [C.O. 5, 720. No. 13.]

Jan. 25.
Maryland.

275. *Same to same.* Upon receipt of your Lordship's of June 28, 1711, with H.M. Instructions relating to the guage of hogsheads, I convened the Generall Assembly upon Oct. 23rd, and recommended to them readily to obey H.M. direction in confirming the guage of their tobacco hogsheads to that now practiced in Virginia. In compliance wherewith they have agreed to an Act herewith transmitted, which I hope will be well approv'd of, and prevent any further clamour on that score. They have at the same time, and in the same Act having relation to the same thing, endeavour'd to prevent the abuse of cropping the hogsheads and defacing tobacco by masters of ships in their stowage, by lying a moderate penalty upon them, when convict thereof, not exceeding that impos'd on the planters who shall not confine themselves within the guage now ascertain'd. I also used all possible endeavours to perswade them to empower some fitt person, or persons, to act as their Agent in Great Brittain, and to make them sencible of the necessity thereof, but without any success, they having referr'd the consideration thereof to the next Session of Assembly. As to the other Laws enacted in November, 1709, and disallowed by her most sacred Majestie, those for regulating the Militia and lymitting officers' fees being of the greatest consequence, pursuant to the intimation from the Lords of Trade that they might be re-enacted by the President (as Commander in Chief), the Councill and Assembly, they are so re-enacted with the others of less consequence, and severall private Acts which together with the Journalls of the Councill and Assembly herewith transmitted. *Signed,* Edwd. Lloyd. 1¾ pp. [C.O. 5, 720. No. 14.]

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Jan. 25. Maryland. **276.** Edwd. Lloyd to the Council of Trade and Plantations. *Repeats gist of preceding. Concludes:* The Assembly offer'd at some other laws, at this Session, which I could not believe H.M. would approve of, and therefore thought it but prudence now in the absence of a Governour in chiefe, not to agree thereto, att which they seemed somewhat dissatisfyed, etc. *Signed*, Edwd. Lloyd. *Endorsed*, Reed. July 22, 1712, Read July 13, 1713. *Addressed*. 2 pp. *Enclosed*,
276. i. Copy of Journal of Committee of Accounts of Maryland. Oct 23—31st, 1711. *Endorsed as preceding*. 24 pp. [C.O. 5, 717. Nos. 50, 50 i.; and (without enclosure) 5, 727. pp. 320—322.]
- Jan. 25. Whitehall. **277.** Council of Trade and Plantations to the Earl of Dartmouth. We think it reasonable that H.M. should grant the petition of John Frere (v. Jan. 12). [C.O. 29, 12. p. 401.]
- Jan. 27. St. James's. **278.** H.M. Warrant to Governor Douglas. Lt. General Walter Hamilton is to be admitted to the Council in each and every of the Leeward Islands where such Councils are establish't, with authority to preside in those respective Councils in the absence of you, or other the Captain General and Governor in Chief of our said Islands for the time being. *Countersigned*, Dartmouth. [C.O. 324, 32. pp. 128, 129.]
- Jan. 28. London. **279.** James du Pré to the Council of Trade and Plantations. *Prays* for a speedy conclusion of the Board's report upon the settlement of the Palatines at New York, etc. *Signed*, James du Pré. *Endorsed*, Recd. Read Jan. 29, 17 $\frac{1}{2}$. 1 p. [C.O. 5, 1050. No. 35; and 5, 1122. pp. 479, 480.]
- Jan. 29. **280.** Duke of Leeds to the Earl of Dartmouth. Recommends to his consideration Rev. Mr. Collins and his brother's case (v. Jan. 21). *Signed*, Leeds. 2 pp. [C.O. 194, 24. No. 8.]
- Jan. 31. Westminster. **281.** Copy of Privy Seal for the establishment of the Commission of Trade and Plantations (Charles, Earl of Winchelsea, Sir Philip Meadows, Robert Monckton, Sir Charles Turner, George Baillie, Arthur Moore and Francis Gwyn.) Salaries of £1000 a year payable quarterly. £400 to the Clerks of the Privy Council for their despatch of orders and business relating to Trade and Plantations. £500 salary to William Popple, £100 to Adrian Drift, Deputy Secretary, £390 for seven Clerks, and £160 for doorkeepers, messengers and necessary woman. Incident charges of the office, attested by 4 or more Commissioners, to be paid by the Treasury (v. Dec. 17, 1711), etc. *Countersigned*, Hen. Ludlow. 6 $\frac{1}{2}$ pp. [C.O. 388, 76. No. 128; and 389, 37. pp. 32—38.]
- Jan. 31. Whitehall. **282.** Council of Trade and Plantations to the Queen. Recommend for confirmation the Act of Barbados to dock the entail

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of certain lands in St. Philip's parish etc. (v. Jan. 15). [C.O. 29, 12. p. 405.]

Jan. 31. **283.** Order of Queen in Council. Approving preceding and
St. James's. confirming Act of Barbados accordingly. *Signed*, Ja. Vernon. *Endorsed*, Recd. Read June 24, 1715. 1 p. [C.O. 28, 14. No. 40 ; and 29, 13. pp. 307, 308.]

Jan. 31. **284.** Order of Queen in Council. Appointing John Wentworth
St. James's. to the Council of New Hampshire, in the room of Winthrop Hilton, decd. *etc.* *Signed*, Edward Southwell. 1½ pp. [C.O. 5, 11. No. 73.]

Jan. 31. **285.** Duplicate of preceding. *Signed*, Ja. Vernon. *En-*
St. James's. *dorsed*, Recd. Read June 24, 1715. 1¼ pp. [C.O. 5, 866. No. 45 ; and 5, 914. pp. 51, 52.]

[Jan. 31]. **286.** William Mathew to the Council of Trade and Plan-
tations. Son of the late Governor Sir William Mathew, petitioner has settled in Antego, and having suffered in some sort for opposing the late disorders there, *prays* to be appointed to one of the vacancies in the Council there, *etc.* *Signed*, Recd. Jan. 31, Read Feb. 5, 171½. 1 p. [C.O. 152, 9. No. 99 ; and 153, 11. p. 426.]

Feb. 1. **287.** Council of Trade and Plantations to Lt. Governor
Whitehall. Spotswood. *Acknowledge* letter of Oct. 15 and *enclose* copy of report of Board of Ordnance *re* gunpowder (v. Dec. 3 and 6th, 1711), *etc.* We cannot but commend your diligence and conduct in assisting the province of North Carolina and suppressing their disorders there, which we hope will be an example to other Governors, to do their duties if any such occasions should happen. H.M. has appointed Messrs. Basset and Fitzhughs members of the Council, *etc.* [C.O. 5, 1363. pp. 394, 395 ; and 5, 1335. No. 168.]

Feb. 1. **288.** Council of Trade and Plantations to Governor Dudley.
Whitehall. *Acknowledge* letter, *etc.*, of Nov. 13. We shall expect the publick papers, which you promise us by the mast fleet, upon the perusal whereof we shall be able to write to you more fully. We are glad to perceive that ye people of New England are better vers'd than formerly in making of tar and other naval stores, and that the quantity they make is increasing. We have represented to H.M. that Mr. Wentworth be of the Council of New Hampshire, and doubt not but the Agent for that Province will forward to you by this conveyance H.M. warrant for his admission. Your desire of small arms, powder and ball, is what we cannot at present lay before H.M. ; for what we presume great quantities were sent along with the late Expedition, and left in the country. Besides you do not acquaint us with the particulars of what is remaining, nor what is wanting, without which we cannot lay the same before H.M. We can give no particular answer to what

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you write in relation to the division line between your Government of the Massachusetts Bay, and the Colonies of Connecticut and Rhode Island, for want of a true state of that matter, not having received from those Colonies any reasons for their claim as they acquainted you. There is indeed a petition lying before us of Wait Winthrop and others, stiling themselves Proprietors of that part of the Narraganset country, call'd the Mortgage Lands, praying H.M. confirmation of their grant. But whether this be what you hint at, we cannot yet determine for want of further light from you, and therefore we desire you by ye first opportunity to let us have a full state of yt. matter. [C.O. 5, 913. pp. 370, 371.]

Feb. 1.
Whitehall.

289. Council of Trade and Plantations to Governor Hunter. *Communicate* Mr. Sec. Granville's letter, Dec. 21, 1711, concerning Invalides. *Continue* :—We have fully laid before my Lord Treasurer what you writ relating to the Palatins, etc., and hope that Mr. Du Pré will be able in a short time to carry a good acct. of that matter. We shall always be ready to do what in us lyes to incourage and promote what may tend to the increase and advantage of the trade of this Kingdom. [C.O. 5, 1122. pp. 480—482.]

Feb. 1.
Whitehall.

290. Council of Trade and Plantations to the Lord High Treasurer. *Reply* to Lord Clarendon's observations concerning the Palatines at New York. (v. Nov. 26, 1711). *Refer* to Instructions based on Representations Dec. 5, 1709, etc., which seem to imply H.M. consent to subsist the Palatines for the first year. *Enclose* copy of Representation of Feb. 8, 17¹⁰/₁₁ (q.v.) giving the reasons why it was necessary to allow £15,000 a year for their subsistence for two years. *Continue* :—When they arrived at New York they were in number 2227, and by the account laid before your Lordp. Nov. 13th last, the number that had been subsisted March 26—June 24th was about 1894. We have no account from the Governor of the application of the £10,000, which has been issued to him, otherways than that he informs us that besides the £8000 for which he had bills over with him he had drawn other bills for £4700, all which had been expended in settling those people, and that he had transmitted an account thereof to the then Lords Commissioners of the Treasury. In order to our laying this matter more fully before your Lordship and to propose some method how H.M. shal be repaid, we take leave to offer that computing by the number of trees already prepar'd they may make 30,000 barrils of tar the first year, 1713, which at New York is 8s. sterling per barril, and will come to £12,000. And that if H.M. shou'd be graciously pleas'd to allow them one moiety, it wou'd be sufficient incouragement for them to go on with their work. And by this means H.M. wou'd be repaid in about 6 years time. In ease H.M. shal approve hereof, we are of opinion that it will be necessary a person be appointed by H.M. to receive the tar at New York into a storehouse to be provided there to ship the same for this Kingdom, and to state and keep

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particular accounts of the whole both in relation to the past as future expence to be laid from time to time before your Lordship. Upon the whole, as it does not appear to us that there has been any mismanagement in subsisting the said Palatines by Col. Hunter, and that his credit is very deeply engag'd in that service, and in consideration that the whole design of producing Naval Stores in H.M. Dominions by the Palatines must fall and the money already expended be intirely lost, unless they are subsisted for two years, we are humbly of opinion that they be supported in such method as your Lordship shal think proper. [C.O. 5, 1122. pp. 482—488.]

Feb. 2.
Piscataqua.

291. Mr. Bridger to the Earl of Dartmouth. *Returns thanks* for favours and that he has this opportunity "to be instrumental to the good of established church, of wch. your Lordship will be informed by the inclosed from a people bred in schism from their cradles, etc." *Continues*:—They are a people of good reputation and live well according to this country, and are the most valuable where they live, 2 of them, vizt. Abraham Merrill and Joshua Brown, were decons to the meeting house, but are now for the mother and established church; there are many more willing to come as soon as they see the church finished, and a man of example, learning and moderation that will instruct and lead those people, if such a one, as I humbly joyne wth. your Lordps.' petitioners, do come over. I dare say we should have more in a year or two at our church than would go to the dissenting meetings, perticularly if H.M. will give such an allowance to the person that comes as to support him without asking anything from the people, tho' but for two or three years, the people here are not so biggoted to theire own way, but to be free from the minister's tax, most of them would be of our Church and make many free-will offerings to the parson more than theire tax, this my Lord I know is theire humor, nither do I know whether the Charter of New England impowers them so far, as to lay a tax either to the building a meeting house or paying the ministers by a law or tax raised in H.M. name, as they now doe, and in this Province wh. is imediatly under H.M. Governmt. the select men with the Justices of the Peace have raised a tax in H.M. name on the people to build a new meeting house and are now a gathering the same. I humbly lay the same before your Lordsp., presuming it is repugnant to the laws of Great Brittian then void of itself, yet the people suffer by two or three obstinate men, but wth. great submission to your Lordship say, here is no government at all, the Governor at Boston and Leit. Governor as well, so everyone acts as he please, here is none to apply to on H.M. behalfe, but self intrest governess all, etc. Seeing H.M. name made use of to serve theire occasions only, I thought it my duty to lay the same before your Lordsp. Your petitioners are an example without president, and as it is approved by you the church will stand or fall, and it will be the only way to draw the schismaticall curtaine from before these people's eyes, by wch. they have been so long in blindness, but the dangér and risque is very great, it being seldom or never

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seen that the Church should flourish under a dissenting Governor. I most humbly pray your Lordship's favour in representing the state of this infant church to H.M., and that H.M. would be graciously pleased to furnish it wth. books, pulpet and communion cloths and plate books *etc.*, wch. would much please and oblige the other people, *etc.* Signed, J. Bridger. 2 $\frac{3}{4}$ pp. *Enclosed*,

291. i. Petition of Inhabitants and Freeholders of Newbury in New England to the Earl of Dartmouth. Our meeting-house was puled down by rude hands, wch. to our satisfaction we had injoyed many years past. Since that our opposite partie have levied by tax on our estates to the building another meeting-house so far distant from us and many others that wee nor they are able to goe so far wh. renders it wholly unservisable to all; notwithstanding we was the greatest part of the whole. These proceedings obliged us to build a Church and did, and now do declare it to be the Queen's Chappel built on our own land, yet cannot proceed thereon by reason of a warrant from the Genl. Assembly (*enclosed*), this put an entire stop to our proceedings till Mr. Bridger heard of our trouble and sent us severall letters and encouraged us to proceed, but he is now come to our reliefe, and has put us in this way of petitioning your Lordship from whome wee pray a satisfactory and speedy answer, being without any person to preach to us. Wee have made Mr. Bridger our agent and have given him the land for the Church, and have enabled him with workmen and materiales to fenish the Church and is realy a patron to us, and he has engaged himself to us and to goe on in that work against all opposers whatever and as he has so he will stand in the gap for us. *Pray* that he may be established near them, *etc.* Signed, John Bartlett, Joshua Brown, Joseph Annis, Saml. Bartlett. Newbury, Jan. 28th, 17 $\frac{1}{2}$. 1 p.

291. ii. Order of Council and Assembly, Boston, Aug. 22, 1711. Upon an information offered by Capt. Hugh March and others of the town of Newbery that several persons living in the west precinct of said town have raised and in part covered a meeting-house notwithstanding the order of this Court July 19, past, to desist therein untill their had been ane hearing; ordered that Samuuell Bartlett, John Ordeway deacons Joshua Brown, Joshua Bailly, Skipper Lunt and Penuell Titecome be anew served by the sherriff with the order of July 19th past, and attend this Court to answer for their contempt. Concurred by the Representatives, consented to, J. Dudley. *Copy*. 1 p.

291. iii. Petition of inhabitants and freeholders of the West precinct of Newbury to the Earl of Dartmouth. Petitioners are building at there own costs a Church for the worshipp of allmighty god according to the Established

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church of Great Britain. Pray that a suitable parson may be sent, with a convenient allowance, books, ornaments *etc.* *Signed*, Joshua Brown, John Bartlett, Skipper Lunt, Samuel Bartlet, John Merrill, Abraham Merrill, and 13 others. $1\frac{1}{4}$ pp. [C.O. 5, 1091. Nos. 67, 67 i.—iii.]

Feb. 2.
Piscataqua.

292. Mr. Bridger to the Earl of Dartmouth. Since I had the honour to wright to your Lorsp. I have seen the Act *for the preservation of white and other pine trees*, which obliges me and deputies to marke all trees proper to be taken for H.M. service, which is puting an impossibility on me having no deputies allowed, tho' the business of pereservation lyes not above 40 miles distant the two extreames, yet with the allowance of 3 or 4 deputies I dare engage performe that worke to your Lordps.' satisfaction, without either another surveyor added, or my commision halved, which I presume will be the opinion of one who will propose it to your Lordp. to serve his son, not knowing in the affaire, *etc.* There is a wast made in H.M. woods yearly, and having no help could not prevent it, nor is it posible to be done without assistance. I have been here and shall be more than three months and have published the Act to the people, but have not yet been so happie as to make an example on any, tho' many transgress[ions] as I am daily told are committed. I am at a very great expence every day I am in the woods, and tho' I have a guard from the government I am obliged to subsist them wch. cost me every day 20s. I have not less than 6 horsemen at any time, nor am I safe with them, but cannot subsist more, so must runn the danger of the Indians, *etc.* *Prays* relief, *etc.* *Proposes* that merchant contractors should pay 6/8 to the Surveyor General for every tree loaded on board, *etc.* As to Mr. Collins' contract, tho' he be gone of(f) the change, yet his agent here cuts masts under pretence of fulfilling that contract, notwithstanding there are 9 shipp's loads now rotting in this river for want of shipping according to contract. As to Naval Stores from hence, that is lost by reason the Navy did not pay the premiums, there is in this fleet only in barrels of tar 712, of pitch 1194, of turpentine 1631. The method I proposed some time since I presume would give some life to it, which was that I should buy all that was to be got here at a certaine price, that would incourage the makers, for now the marchts. beats the price down so low that theire is little or none made, *etc.* 18s. per barrel would governe the market, *etc.* *Signed*, J. Bridger. 3 pp. [C.O. 5, 1091. No. 68.]

[Feb. 4.]

293. Petition of Wm. Hyde to the Council of Trade and Plantations. *Prays* to be appointed Secretary of Barbados in the room of Ed. Jones, removed, *etc.* *Endorsed*, Recd. Read Feb. 4, 17 $\frac{1}{2}$. 1 p. [C.O. 37, 9. No. 21; and 38, 7. p. 31.]

[Feb. 4.]

294. Petition of Thomas Cooke, Rector of St. Bennet's, Paul's Wharf, to the Council of Trade and Plantations. Recom-

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mends Francis Bond, son of a former deputy-Governor of Barbados, for the Council, *etc.* *Endorsed*, Recd. Read Feb. 4, 17 $\frac{1}{2}$. 1 p. [*C.O.* 28, 13. *No.* 83 ; and 29, 12. p. 406.]

Feb. 5. **295.** Edward Warner to the Council of Trade and Plantations. Petitions to be appointed to the Council of Antigua. Owner of a considerable estate there ; his grandfather was Lt. Governor, *etc.* He was in England at the time of the late disorders, *etc.* *Endorsed*, Recd. Read Feb. 5, 17 $\frac{1}{2}$. $\frac{1}{2}$ p. [*C.O.* 152, 9. *No.* 98 ; and 153, 11. pp. 424, 425.]

[Feb. 5.] **296.** Petition of Jeremiah Dummer to the Queen. Your Majesty's Province of the Massachusetts Bay has receiv'd private intelligence since the failure of the late Expedition to Canada, that the French and Indians design to make an invasion upon 'em, and they have likewise great reason to fear a defection of their own Indians. Their Forts and Garrisons are destitute of stores of war, and the Province is so extremely impoverish't as to be no way able to supply 'em. *Prays*, as Agent, for a quantity of small arms and powder. *Signed*, Jeremiah Dummer. *Endorsed*, R. Feb. 5, 17 $\frac{1}{2}$. 1 p. [*C.O.* 5, 10. *No.* 149.]

Feb. 6. **297.** Proclamation of H.M. General Pardon to the inhabitants of Antigua. Whereas a great number of our subjects in this our Island of Antegoa, did lately in an open rebellious manner take up arms and committ a most barbarous murder on the body of Daniel Parke Esq. then our Captain General and Commander in Chief in and over all our Leeward Carribbee Islands in America, nevertheless, wee being perswaded that many of the offenders were drawn into that rebellion and murder by the subtle insinuations, and by the influence of some of the chief advisers and promoters thereof, and not from any rancour of mind, or disaffection to our Government, Wee out of Our princely disposition to forgive, have resolved that our clemency shall temper our justice. Know ye therefore that Wee of our especial grace and favour, certain knowledge and meer motion, have pardoned remitted and released and by these presents for us, our heirs and successors do freely and absolutely pardon remitt and release to all our subjects of the said Island of Antegoa who were any offenders in the said crime (other than such persons as hereinafter are excepted) and to their heirs, executors and administrators all and all manner of treasons, felonys, misprisions of treasons or felony, murders, crimes, misdemeanors and offences whatsoever by them and every of them (except as hereinafter excepted) consulted, commanded, acted or done, on account of the said late rebellion and murder and of and from all paines of death and other paines and penaltys, indictments, convictions, attainders, outlawrys, escheats and forfeitures therefore had or given, or that may or might accrue for the same, except out of this our Proclamation of free pardon all and every such person and persons who are apprehended and in custody in order to be proceeded against and prosecuted according to law for the murder aforesaid

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and brought to condign punishment and all such persons who are fled from justice on account of the said crime whereby others may be deterred from committing or attempting the like for the future. Also except those of H.M. Council in any of the four Islands of Antegoa, Nevis, Montserrat and St. Christophers who have been concerned in encouraging, abetting or assisting in the said rebellious and barbarous murder. Provided always that if any of the persons hereby meant or intended to have the benefit of this our gracious and free pardon shall presume to justify the murder aforesaid or shall attempt the like rebellious practices (as above mentioned) for the future they shall receive no benefit by this our gracious Proclamation of free pardon, but shall be liable to be prosecuted according to law for any of the crimes abovementioned. *Countersigned*, Walter Douglas. St. Johns, Feb. 6th, 1712. *Copy*. 1½ pp. [C.O. 152, 42. No. 82.]

Feb. 7.

298. Copy of letter from Col. John Evans to Wm. Penn. London, Feb. 7, 171½. You was pleased to enjoyn me to make such an estimate of the revenue of the Governmt. of Pennsylvania as I was able from near seven years experience in the Province, and found to be the settled income really and truly communibus annis which please to accept as follows. Licences for publick houses and permits for strong water shops £120. Registering vessels and passes and bills of health £50. Fines and forfeitures £150. Seizures upon unlawful trade, the Crown's thirds £250. Money raised by Assembly in my time £300. The duty of one penny per pound upon tobacco £600. Besides which there appears by the Custom House accounts to have been paid in England for tobacco made in that Province several years above £10,000 a year to the Crown, to which may in all reason be added when you come upon a valuable consideration for your surrender (which you are pleased to informe me you are about) near £20,000 a year that Pennsylvania (planted and improved at your sole cost and care) takes off, of the English manufacture, and it may yet farther in justice be considered what it would have cost the Crown of Great Britain to have brought that Province to the perfection they will find it in, etc. *Signed*, John Evans. 1½ pp. *Annexed*,

298. i. Further benefits vested in the Crown upon Mr. Penn's surrender of Pennsylvania by the disposal of Offices now in his gift. Secretary's place for the Province and Register for Probate of wills amounting per annum to about £250. Master of the Rolls and Keeper of the Seal £100. Clerk or Prothonotary of the Courts of Philadelphia £250. Sherrif of Philadelphia, £200. Clerk of the Court of New Castle, £200. Sherrif of New Castle, £200. Besides there are Clerks and Sherrifs of the several Counties of Bucks, Chester, Kent and Sussex the least of which are worth about £40 per annum. There are likewise Corroners, Registers Office for deeds and another for wills in each county much about the same yearly value. Moreover Mr. Penn's Lieut. sur-

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rendered into the hands of the Lord Bellamont then Governor of New York about 5000 pieces of 8, the same being treasure trove in that Province supposed to have been brought in there by some pirates from Madagascar ; and tho' the same of right belonged to Mr. Penn by his Charter yet being by Lord Bellamont remitted into the hands of the Crown, Mr. Penn has not received one penny thereof. *Copy.* 1 p. *The whole endorsed,* Recd. (from ye Treasury) Read 30th Aug. 1715. [*C.O.* 5, 1265. *Nos.* 4, 4 i.]

[Feb. 7.] **299.** Major General Handasyd to the Queen. Petitions that arrears of levy money, subsistence, and deductions on behalf of widows, due to his Regiment in Jamaica, may be made good *etc.* *Endorsed,* Recd. 7th, Read 18th Feb., 17 $\frac{1}{2}$. 4 pp. [*C.O.* 137, 9. *No.* 61.]

Feb. 8. **300.** The Governor and Company of Adventurers of England
Hudsons Bay trading into Hudsons Bay to the Council of Trade and Plantations.
House. For avoiding all disputes that may arrise between the Company and the French settled in Canada, they conceive it necessary, that no wood-runners either French or Indians, or any other persons whatsoever, be permitted to travell or seeke for trade, beyond limitts beginning from Grimingtons Island, or Cape Pedrix, latitude 58 $\frac{1}{2}$ North, which they desire may be the boundary between the English and French on the Coast of Laboradore towards Ruperts Land on the East Maine, and Nova Brittania on the French side, and that no French ship, barque boate or vessell whatsoever shall pass to the N.W. of Cape Pedrix or Grimington's Island, towards or into the Streights [*or Bay of*] Hudson, on any pretence whatsoever. That a line be supposed to pass to the South westward [*of the*] Island of Grimington, or Cape Pedrix to the Great Lake Miscosinke alias Mistoseny, dividing the same into two parts (as in the mapp now delivered) and that the French nor any others employed by them, shall come to the North or Northwestward of the said Lake, or supposed line, by land or water, on or through any rivers, lakes or countrys, to trade or erect any Forts or Settlements, whatsoever, and the English on the contrary not to pass the said supposed line either to the southward or eastward. That the French be likewise obliged to quitt surrender and deliver up to the English upon demand, York Fort by them called Bourbone undemolished, together with all forts, factories, settlements and buildings whatsoever, taken from the English, or since erected or built by the French with all the artillery and ammunition in the condition they are now in, together with all other places they are possessed of, within the limitts aforesaid, or within the Bay and Streights of Hudson. These limitts being first settled and adjusted, the Company are willing to referr their losses and damages formerly sustained by the French in times of peace to the consideration of Commissioners to be appointed for that purpose. *Refer to Charter.* *Signed,* By Order of the Governor and Company *etc.*

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Wm. Potter, Secr. *Endorsed, Reed., Read 8th Feb., 171 $\frac{1}{2}$.* 2 pp. [C.O. 134, 2. No. 34; and 135, 3. pp. 117—119.]

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Virginia.

301. Lt. Governor Spotswood to the Council of Trade and Plantations. I have chosen this first opportunity by an out-port ship to hasten to your Lordps. the journals of our late Assembly, tho' that of the House of Burgesses is not compleat and the latter part only copied from their votes as they were returned to me every night. Your Lordps. will observe by these Journals the matters upon which that House and I have chiefly differred; and I shall only here continue the bare relation of their transactions, upon their return after their adjournment, without any comment: since your Lordps. are better able to judge what may be the consequence of such unaccountable proceedings, and what remedies are proper for checking the irregularitys of Plantation Assembly. According to what I had the honour to write your Lordps. in my last, I hop'd the recess I gave the House of Burgesses till the 24th of last moneth, would have been sufficient time for them to reflect on their former irregularitys, and brought them together with a better disposition for the publick service: but they no sooner mett than they began to give indications of the same obstinate temper with which they separated; by continuing their contentions with the Council, and by adhering to the disallowance of the just claims of many publick creditors, tho' they had not the least objection against the usefulness of their services for the security of the country. I was however willing to wait some days longer in expectation of their entring on new measures to defend themselves in this time of danger; but perceiving no advances therein, I thought it necessary on the 28th past to quicken them by a speech wherein I took occasion to answer sundry misrepresentations of matters of fact in their Address of Dec. 21st (*v.* Journal of Burgesses), and likewise to assure them that I was ready to yeild to anything they could in justice or reason demand. But this had no better effect than to put them anew upon a justification of their former proceedings, without the least show of a more just behaviour for the future. So that finding nothing could be expected from a sett of men so regardless of their duty to their country, I thought it more advisable to put an end to their session, than to burthen the people by keeping them longer together to prosecute their fruitless contentions, and on the last of January dissolved the Assembly after having passed the few bills they had prepared at their former meeting, which were only two publick and two private Acts, besides that for appointing Rangers, which I pass'd in December. The shortness of time will not allow me to send by this conveyance the transcript of those Acts, but your Lordps. will see by the titles they are of no great consequence. I have already intimated the reasons that obliged me to reject the bill prepared by the Burgesses for raising money to carry on a war against the Indians, with which I hope your Lordps. will not be dissatisfy'd. For had I pass'd it in terms so prejudicial to the interest of Great Britain and unjust to the people here, I could neither have been

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excusable to H.M., nor to the Country, besides the ill consequence of engaging in a war upon a deficient fund, to be supplied by the same unjustifiable means, if not worse, than those on wch. it was begun, or else the publick creditors left for ever unpaid. The perverting the sense of laws already made, with no other intent than to evade the payment of the publick debts, such as the charge of the Militia that attended at Nattoway Town on the Conference with the Tuscoruro Indians, and the expence of a spy-boat fitted out in pursuance of H.M. Commands on the late alarm, to discover the approach of the enemy, shows what little dependance there is on the faith of a House of Burgesses : for tho' both those services have been own'd by that House to be for the publick benefit, yet no arguments either of mine or the Council could obtain the least allowance for them. This obstinacy is the more remarkable in that the first of these claims might have been discharged according to a proposal of the Council for less than the value of £50, by only exempting the Militia from this year's publick levy. The other of the spy-boat was so frugally managed, that the whole expence for three moneths amounted only to £121. This last, with about £100 for the subsistence of 80 French prisoners, and between £40 and £50 expended in raising the batterys were all the money payments insisted on in the Book of Claims, and yet so strenuously refused by the Burgesses, that they chose rather to let the book of claims remain unpassed, and the whole countrey to suffer for want of laying the publick levy than yeild to the just demands of the people in so trifling a sum. These are the proceedings which obliged me to put an end to this Assembly, and by wch. the late Burgesses hope to recommend themselves to the populace, upon a received opinion amongst them that he is the best patriot among them that most violently opposes the raising any money let the occasion be what it will : they may in some measure be excused for acting that part ; since the far greater number of the late Burgesses had scarce any other merit, to qualify them for the people's choice. I have here represented to your Lordps. their faults with the same freedom I used in commending their behaviour in the Session last year, and whoever will compare the proceedings of that Session with the incongruities of this, will hardly believe the same men could act so differently : but this may be easily accounted for when the persons are considered, whose want of publick spirit has irreconciled them to everything which required expence, and such were most of the affairs recommended to them this Session. And it now appears plainly that the vote of raising £20,000, (which is indeed a great sum for this Country) was no other than a design of some to raise none at all, since under pretence of raising so considerable a sum, they believed they might more easily have recourse to extraordinary means, wch. they were sure would never pass, for had they really intended to carry on the war against the Indians, they could not have done it in a more frugal way than by the Treaty I concluded with the Tuscoruro Indians ; but tho' that was entred into at the instance of their own House, they have made no provision for enabling

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me to performe the terms of it. Indeed some of the House have since their dissolution owned more freely than they would do while sitting that most of the irregularitys of their proceedings are owing to some rash votes pass'd without foresight, wch. they could not afterwards get over without breaking through the rules of their House, and so they chose rather to let the country suffer than acknowledge themselves in an error. After what I have here represented, I think it necessary to acquaint your Lops. that these differences with the house of Burgesses, have made none between me and the country; I have not had the least dispute with any one member of the Council, and even these very persons who composed the house of Burgesses have all along declared as much satisfaction with my administracon as with any Governor they ever had; tho' your Lops. will observe by my speeches I have not flattered them. So that the ill management of the late Assembly may in all probability give a new turn to the humors of the people, and make them chuse for their next Representatives men of more generous and disinterested principles: but I shal first see some signs of such a disposition before I call another Assembly. In the meantime I am taking all necessary precautions to secure the Country against the Indians, *etc.* (*Here follows passage quoted by Lord Dartmouth April 15 q.v.*) At present the danger seems much more to threaten North Carolina where the Indians daily gather strength, and have already besieged a party of the inhabitants in a small fort they had built for their protection. The distractions amongst themselves gave the Indians all the opportunity they could wish of destroying them: for as our Burgesses for their private interest have disappointed all means of defending this country, so those of Carolina on a worse principle have resolved to sacrifice that province to their own private resentments, and because they cannot introduce into the Government the persons most obnoxious for the late rebellion and civil war, they will make no provision for defending any part of the country, and are now likewise dissolved without doing any business. The Baron de Graffenried being obliged while he was prisoner among the Indians to conclude a neutrality for himself and the Palatines lives as yet undisturbed but is sufficiently persecuted by the people of Carolina for not breaking with the Indians, tho' they will afford him neither provisions of war or victuals, nor any assistance from them: he has always declared his readiness to enter into the war as soon as he should be assisted to prosecute it: but it would be madness to expose his handfull of people to the fury of the Indians, without some better assurance of help than the present confusions in that Province gives him reason to hope for: since the Indians would soon either entirely destroy that settlement, or starve them out of the place by killing their stocks and hindering them from planting corne. In the mean time the people of Carolina receive great advantage by this neutrality, for by that means the Baron has an opportunity of discovering to them all the designs of the Indians, tho' he runs the risque of paying dear for it, if they ever come to know it. This makes him so apprehensive of his danger

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from them, and so diffident of help or even justice from the Government under which he is, that he has made some offers to remove to this Colony with the Palatines, upon some of H.M. land ; and since such a number of people as he may bring with him with what he proposes to invite over from Swisserland and Germany will be of great advantage to this country, and prove a strong barrier against the incursions of Indians, if they were properly disposed above our inhabitants, I pray your Lordps.' directions what encouragements ought to be given to this design, either as to the quantity of land or the terms of granting it. Your Lordps. will also be pleased to instruct me as to the settlement of a great number of the other inhabitants of North Carolina, who I understand design to remove hither for protection. I beg leave to represent to your Lordps. the necessity of some speedy orders for this Colony, Maryland and Carolina to assist each other in case either be attack'd, and if your Lordps. shal think fitt to propose this to H.M., I humbly offer that the regulation of that assistance may not be left to the precarious humor of an Assembly, but that your Lordps. will be pleased to consider of some more proper method for rendering it effectual. I should have sent ere now an account of the stores of war in this country : but considering those accounts have been transmitted both by Coll. Nott and Mr. President Jenings, and none other sent hither since, I thought it needless to trouble your Lordps. with an account which would contain only the same thing without any alteration except as I have already intimated to your Lordps. the powder is much more wasted and decayed than it was then. *Signed*, A. Spotswood. *Endorsed*, Recd. 14th April, Read 11th Dec., 1712. 5 pp. [C.O. 5, 1316. No. 86 ; and 5, 1363. pp. 426—436.]

Feb. 9.
Antegoa.

302. Governor Douglas to the Earl of Oxford, Lord High Treasurer. I durst not presume writing to your Lordship before I had fulfilled your commands of settling the publick affairs of these Islands, and quieting the minds of the people of this Island in particular. I have view'd the fortifications and put the Militia in the best posture of defence, and in all the respective Assemblys have passed some usefull bills into Acts which will be submitted to the Royall approbation, particularly by repealing an imperfect and pernicious Law in this Island *for establishing of Courts etc.*, by the dilatoriness and uncertainty of recovering debts, by this Act the Island was reduced to the brink of ruine and the publick credit almost quite sunk, and making another for these purposes to answer all Sir Edward Northey's objections. On my arrival here, July 8th, I found the Island in great confusion and distractions which rendered it impossible for me to put H.M. orders in execution without taking some time to put about 200 men of the Queen's Regiment in some order and disposition (in which Major Peter Buer was very serviceable) to save further charges to the Crown in preventing farther commotions and all other desperate measures from an unsettled and deluded people having their chief hopes in Col. Hamilton Lt. General of these

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Islands (an unquiet enemy to all chief Governors) soothing and palliating their crimes as the proofs to be transmitted by the first proper conveyance will plainly prove, his encouraging these people in their obstinacy and sedition, and found myself unable to proceed further for the honour of H.M. service without suspending him from all offices and places of trust in these Islands untill H.M. further pleasure be known and appointing Col. Daniel Smith (approved of by all the Islands) Lt. Governor of Nevis in his room according to the power granted to me by H.M. Instructions, besides the Addresses and Articles presented to me by the Lt. Governors, majority of the Councillors, and other chief inhabitants to remove him in order to restore the safety and tranquility of these unhappy Islands, when these and other necessary alterations were accomplished; I took some pains to divide the heads of the Faction and Association and afterwards sent to seize five of the most violent and active offenders who surrendered themselves with all submission and obedience wholly relying on the unbounded mercy of our dread Sovereign Lady the Queen, some of them have been a month in custody in the chief time of their making sugars which happens to be a great addition to their sorrows, which seem to be very real and unfeigned and as these poor islands do humbly pray to be considered as under your Lordps.' protection, they throw themselves at your Lordship's feet to intercede for them at the throne of mercy: the provocations to that insurrection had been of a long continuance and insupportable to some weak people who were drawn into that conspiracy without imagining it would arise to an open rebellion or murder of the chief Governor, and without foreseeing the unhappy train of miserable consequences that has attended this Island, which by the great mercy of our Sovereign Lady the Queen and your Lordship's most happy and glorious administration may flourish again in a short time and prove a very considerable Colony. *P.S. (in his own hand)* All ye honour and happyness that I am ambitious of is to receive your Lordship's particular commands, *etc. etc.* Signed, Walter Douglas. Endorsed, R. May 15, from Sir John St. Leger (v. May 15). 4 pp. Enclosed,

302. i. Address of the Council of St. Christophers to Governor Douglas. *Congratulate H.E.'s arrival etc. and express horror of Governor Parke's murder. Continue:—* Upon notice given to Lt. General Hamilton of the said murder by gentlemen dispatched to him from Antegua, he came down to this Island in order to let us know yt. by the death of Generall Parkes the Government devolved upon him, and by some words at the Counsell Table gave us reason to beleive as he resented yt. action he woud. make a strict and impartiall examination thereof, *etc.* This gave life to an Address to H.M. the former part of which containd our abhorrance of the murder, the latter an humble recommendation of Lt.-Generall Hamilton as a person worthy to be honoured with her high commission of Capt. Generall and Cheif Governour. But to our great surprize wee found the said Address

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returned. Provided we wod. stricke of ye paragraph expressing the detestation of Generall Parke's murder he wod. accept of and thank us for the rest, but he findeing us not inclynable to race out ye part seemed to slight us, so yt. adress droped, this made us come to a second resolution of layeing before H.M. that our detestation and to clear ourselves from any imputation as contrivers or abettors of that bloody tragedy. At second coming down to this Island uppon makeing up the General Councell and Assembly convened to meet by his writs in his own name which is very remarkable at the Island of Antegua, he began with a ruffled countenance to let us know the resentment he conceivd at our Address to the Queen layeing down therein our abhorrence of the murther, telleing us 'twas not none of our busyness, but being answered at the board that wee held ourselves bound in duty and conscience so to do, as likeness [*sic*] being under the same obligation of gratitude with those of Nevis for H.M. princely compassion towards us, *etc.*, and uppon giving him our farther sentyments yt. H.M. very well knew how to punnish her Generalls uppon omission of theyr duty *etc.*, this unlocked his resentment unto this astonisheing expression to us 'had what he deserved,' and uppon readeing our letters in the Minutes of the Counsell relateing thereunto finding yt. Michael Ayones was intrusted with them in a suddaine heat ordered the Clarke of the Counsell to give him a copy, weh. he told us wod. shew to the Lords for trade and make Mr. Ayon appear the greatest villayn in nature, *etc.* Lt.-Generall Hamilton by countenancing the murtherers of Generall Parke to so high a degree keeps up the flames of that evill weh. will, if not timely extinguished, carry its dangers to near your Excellency's person. Wee therefore humbly address yr. Excellency to remove the cause by suspension of Lt.-Generall Hamilton, and thereby incapacitate him from oppressing us in case of your death, *etc.* 2 pp.

302. ii. Address of the Lt. Governor, some of the Council and inhabitants of Antigua to Governor Douglas. Similar request for the suspension of Lt. General Hamilton. *Signed*, John Yeamans, Thomas Morris, Richard Oliver, Sam. Byam, Jos. French, Jno. Wickham, H. Pember, Rich. Worthington, Isaac Royall. *Copy*. 1 p.
302. iii. Articles exhibited against Lt. General Walter Hamilton, during his administration as Governor in chief of the Leeward Islands, *cf. preceding*. (1) Upon his arrival at Antigua, he neither conversed with nor countenanced General Parke's friends, but gave himself up wholly to the councils of the adverse party. (2) He discouraged the taking of oaths relating to the murder and hindered and menaced those who went about to do it. (3) He highly resented all discourse tending to the

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truth of the murther, and cited Dr. Buxton before himself and Council for a sermon preached at Parham Church describing it. (4) He called a General Council and Assembly at this Island to inquire into the murther (which he mildly terms death) of the late General, but in no way took care to protect those that should give their affidavits. (5) He permitted Col. Jones to use barbarously Serjeant Bows who behaved bravely and stood by the General Dec. 7, where he was very much wounded. Flying to leeward after that action, Bows was returned by the Lt. General's order to this Island, and Col. Jones afterwards confined him on Monks Hill in a dungeon several weeks where he was most barbarously used, and could get no relief tho' application was made to the Lt. General untill they had squeezed out of him an affidavit, tho' the affidavit now on record in the Minutes of the General Council said to be taken by him, which for want of a full examination of the matters therein contained the truth is only in part discovered. (6) When he took Mr. Mark Bigg's oath relating to a difference between Edward Chester, Senr., and Lt. Richard Worthington he swore him only to the truth, when if he had been swore to the whole truth *etc.*, it would have made that oath to be against Chester, and which must be presumed was contrived between the Lt. General and Chester. (7) He desired the Address of the Council of St. Kitts to be altered (*v. supra*). (8) When Dr. Bonnin was interrogated on oath before him and General Council, he desired to be excused, for that it was not safe for him to swear, which words upon the direction of Mr. Willett, one of the General Council from St. Christophers were minuted on the Councill books, but afterwards found blotted out as supposed by the Lt. General's order or contrivance with the Secretary's. (9) He only interrogated the people as to the late General's crimes. (10) He did unlawfully take from Mr. Marke Bigg a negro boy belonging to his brother-in-law. (11) A parcell of iron imported into this Island in a French truce being seiz'd by the late General and a parcell of cocoa *etc.* which Edward Chester senr. in a felonious manner Dec. 7 took out of the Generall's house adjoining to Savouret's Tavern after his death by breaking open the doors and carrying the same to his own house, was either seiz'd by the Lt. General or agreed between him and Chester, for that he has credit for the same with Chester in his books. (12) He was mightily exasperated when anything appeared to be for opening the truth relating to the murther, and upon his hearing that Mr. Ayon's being gone to leeward to go for England in order to lay open the matter before H.M., he expressed himself in a violent manner and that he would give £500 to know

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how he went off or who had a hand in it. (13) He shewed his malice against Governor Parke in his letters before the murder, and said at Nevis that he expected to hear he was run or a worse thing would befall him, *etc.* (14) When he first heard at Nevis that Mr. Ayon, Lt. Worthington and others who were General Parke's friends and who were with him when he was assaulted and who were not killed, he declared his satisfaction thereof for that they were preserved for the gallows, *etc.* *Signed*, John Yeamans, Thomas Morris, Richard Oliver, Sam. Byam, Jer. Blizzard, Isaac Royal, Jno. Wickham, Jos. French, Jno. Sawcott, H. Pember, Goussé Bonnin, Richd. Worthington, William Yeamans. *Copy.* $2\frac{1}{2}$ large pp.

302. iv. Affidavit of Charles Bowes, Serjeant in the company of Capt. Richd. Worthington in Col Jones' Regt. Nov. 14, 1711. On Dec. 7 when Governor Parke was murdered and deponent wounded in his defence, he saw Henry Smith now an ensigne in the Regiment in armes amongst the rebels. He told deponent as he lay bleeding that they had given him his due. When he was confined at Monk's Hill by order of Col. James Jones, Smith told him that he, deponent, knew that General Parke had sold the Island to the French, and if he would make affidavitt of itt, he should be released. Deponent said he knew of no such thing, *etc.* *Signed*, Charles Bowes. $\frac{3}{4}$ p.

302. v. Address of the Assembly of Antigua to the Queen. Duplicate of Feb. 23, 1711.

302. vi. Lt.-Governor, some of the Council and inhabitants of Antigua, to Governor Dóuglas. Return thanks for the suspension of Lt. General Hamilton. "Such were the discouragements the loyal party received from him, that we must have quitted our interest and families" *etc.* *Signed*, John Yeamans, Lt. Govr.; Thomas Morris, Richard Oliver, (of H.M. Council); Peter Buer, Jos. French, Jno. Wickham. *Copy.* 1 p. [C.O. 152, 42. Nos. 83, 97-101, 103.]

Feb. 9.
Boston.

303. Lt. Gov. Vetch to the Earl of Dartmouth. The severity of the winter having detained the mast fleet hitherto, I have presumed to give your Lordship thiss. *Gives details of levying of company of Indians* (v. Jan. 3.) Coll. Livingston is not only considerably out of pockett, but must have a very great sway amongst them to raise such a number att any rate. They are now embarked for Annapolis Royall, *etc.*, *etc.* *Signed*, Sam. Vetch. $\frac{3}{4}$ p. [C.O. 5, 9. No. 105; and (duplicate) 105 i.]

Feb. 10.
Boston.
April 2.

304. Same to Same. *Duplicate of preceding, with postscript of April 2nd added* :—Since writing of the above I have advice from the Agent for the garison Mr. Borland that none of his bills are so much as accepted att home which is like to ruine him

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intirely, as it hath done the publick's credit here, so that I must intreat your Lop. to speak to my Ld. Treasurer, to direct the payment of the sd. bills, other ways it will be impossible for me to support the garison of Annapolis Royall : with regard to which I extreamly long for your Lordship's commands, *etc.* *Signed*, Sam. Vetch. 1 p. [*C.O.* 5, 9. *No.* 107.]

[Feb. 11.]

305. Extract of letter from Major Douglas to Mr. Lewis, one of Lord Dartmouth's Secretaries. When I arrived in this Island, I found the people in the greatest distractions and fears for several days under arms, in continual alarms, the Loyalists upon their guard, and in a dread of the country party, whom they lookt upon as their greatest enemys. There is soc great an intimacy and friendship between the Queen's troops and the rebels, that upon the least motion I should make to apprehend any of the Planters the Island would be in an insurrection, and the Loyalists being the weakest, exposed to certain ruin and destruction. My orders to Capt. Norbury were slighted by him when I sent him three prisoners on board, pretended at first he wou'd not receive them, being not properly under my command, this put a stop to any further progress in this affair, and gave the rebels all the hopes of security. Till I have a sufficient power according to the 69th article of my Instructions from the Board of Admiralty, I must suspend all thoughts of further executing H.M. commands, you will be pleased to let my Lord Dartmouth know that I may receive those orders that are so proper for H.M. service in this affair, and would tend to the safety of ye Colony. The whole Assembly but one appeared in arms in the Rebellion as their Commanders. I beleive it would not be amiss, if the civil and military officers received some marks of H.M. resentment by being made incapable. Capt. Norbury brings home Capt. Rooksby, Lt. Watts and Ensign Smith, *etc.* The depositions and witnesses that go with them, will I hope bring them to a deserved punishment, that may be exemplary to the rest here. This is the only step I am able as yet to make. I would be very cautious of exposing H.M. authority again to new insults, the Island to a civill war, or the attempts of an enemy, that is upon the watch for those advantages any commotion would give 'em, that I must waite for H.M. further orders, to enable me to execute her commands, and to protect the people from such accidents that might ensue. A man of war with some regular forces, or the men or war order'd from Barbados for a few days upon this station and under my command would sufficiently strengthen me. The spirit of rebellion is so infused into the majority of the people, that the same members are thought only the fittest persons to be their Representatives. I take ye liberty to assure you, I have done all yt. was possible for ye honour of H.M. service, for which I am every minute ready to sacrifice my life wth. satisfaction, but I humbly represent that either a qualified pardon or some more force are necessary for ye safety and quiet of this Isld. *Signed*, A faithful extract, *etc.* E. Lewis. [*C.O.* 153, 11. pp. 427-429.]

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Feb. 12.
Craven House.

306. Lords Proprietors of Carolina to the Council and Assembly of North Carolina. Nothing could more sensibly affect us than the news we have receiv'd of the very great disorders and tumults that have lately happen'd in North Carolina and we having taken into our more serious consideration the unhappy condition of our said Province as well in regard to the administration of the Government and justice there as in relation to the commerce thereof and we are persuaded that nothing can more effectually contribute to the welfare of our said Province than the appointing of proper and fit persons to inquire into the state and condition of the same and administer justice accordingly; We therefore inform you that we reposing special trust and confidence in the ability and integrity of Edward Hyde Esq. have authoriz'd and commission'd him our Governor of our said Province of N. Carolina during our pleasure to whom we hereby require you to pay all due obedience as the Acts of your Assemblies and our Charter under the Broad Seal of England oblige you; We have also sent you over several other new commissioned officers in whom we have great confidence and therefore recommend them to you[r] care and friendship that by the mutual assistance of each other justice may be more duly administred, the welfare of our said Province and the peace and satisfaction of all the inhabitants under our care may be more effectually establish'd. We earnestly recommend to you Gentlemen in your General Assemblies that you wou'd seriously consider of the state of the Church in our Province and take care that the same may be establish'd and that all due and necessary appointments may be made to the Ministers thereof, and to give encouragement to such proceedings we are willing to contribute the sum of £200 towards the building a Church in such place as shal be thought most suitable and convenient to all or at least the greatest part of the inhabitants. We desire you to prepare laws for our confirmation whereby the peace and happiness profit and advantage of all the people under our care may be best secur'd and improv'd and all such disorders as have lately been committed amongst you for the future may be prevented. And lest any invasion or descent shou'd be made hereafter upon you by any Indian or other foreign enemy whatever we think it highly expedient that a law be prepar'd for the regulating the Militia that for the future they may be made more ready and able to defend the country and preserve the peace and quiet of the Govt. We expect that care shal be taken that our quit-rents may be duly paid to our Receiver Genll. at such times and places as shal be thought most proper or at one convenient place upon each River and considering the smallness of the reserv'd rents we expect they should be paid in fine silver. You are to endeavour that such laws, customs and usages of our said Province as are for the advantage of the Government thereof be put in execution and we desire you to remember that no law whatever either already pass'd or that hereafter shal be pass'd shal be in force after they have been disapprov'd of by us here nor for any longer term than two years unless such law is within that time confirm'd

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under the hands and seals of the Palatin and four more of the Lords Proprietors. We doubt not Gentlemen but you will constantly endeavour the good of our Province and that you will do us all the friendly offices that shal be in your power. *Signed*, Beaufort, Carteret, Fulwar Skipwith, J. Colleton, J. Danson. [C.O. 5, 290. pp. 50-52.]

Feb. 13. **307.** Mr. Hodges, Attorney General of Barbados, to Mr. Popple. The Queen has bin pleased to renew my licence of absence for six months longer, so hope that Mr. Lowther or Mr. Slingsby's applications will have no effect on the Lords to my prejudice, etc. *Signed*, Tho. Hodges. *Endorsed*, Reed. 13th, Read 25th Feb., 17 $\frac{1}{2}$. *Addressed*. 1 p. [C.O. 28, 13. No. 84; and 29, 12. p. 409.]

Feb. 13. **308.** Treasury Minute. Col. Nicholson called in. My Lord Treasury Chambers, Whitehall. [Treasurer] resolves, that $\frac{2}{3}$ upon the bills relating to the Expedition to Canada, and for transporting the garrison of Anapolis to France, shall be satisfied forthwith, and the remaining third part as soon as it shall appear who is to be charged with the monys taken up for those services, that so the same may be accounted for, which matter is now under examination, and ready for a report. (v. No. 309.) [C.O. 324, 32. p. 127.]

Feb. 13. **309.** The Earl of Dartmouth to Governor Hunter. Col. Whitehall. Nicholson having given an account upon his arrival here that 2000 small arms with a considerable quantity of powder and ball, part of the stores allotted for the expedition to Canada, were left under your care; I am commanded to acquaint you, H.M. is pleased to order they should remain with you for the publick service. As you cannot but look upon this to be a mark of H.M. goodness to Her subjects in those parts, I hope so large a supply will likewise be sufficient for your security. The enclosed paper (No. 308) is copy of a minute taken at the Treasury, by which you will see how readily the disbursements made for the use of the Government have been complied with here. *Signed*, Dartmouth. [C.O. 324, 32. p. 125.]

Feb. 13. **310.** Same to Governor Dudley. *Duplicate of preceding* Whitehall. *except that the number of small arms is 1000, and conclusion*;—"Such a ready complyanee is an encouragement for everybody to shew their zeal for the good of their country, when their reinbursements are so punctually answered." *Signed*, Dartmouth. [C.O. 324, 32. p. 126.]

Feb. 14. **311.** The Earl of Dartmouth to Lt. Governor Spotswood. Whitehall. H.M. having commanded me to signify by this mail to Her Governors of New England and New York, that the small arms and ammunition designed for the expedition to Canada, should be left in their hands for their better defence against any attempt of the enemy; I thought proper to communicate the same to you as a mark of H.M. tender concern for her subjects in the Plantations,

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and that you may allways depend upon her care for your safety. You know that last year Mr. Corbin at that time Naval Officer at Rappahannock River lay under some suspicion of having made a razure in one of H.M. passes, that it might serve for another purpose than that for which it was sign'd ; I cannot refuse him the justice to tell you he has voluntarily appeared here, and petitioned to be heard for the clearing his innocence in that matter. *Signed*, Dartmouth. [C.O. 324, 32. p. 128.]

Feb. 14. **312.** H.M. Warrant appointing John Wentworth to the St. James's. Council of New Hampshire in the room of Winthrop Hilton, decd. [C.O. 324, 32. p. 128.]

Feb. 15. **313.** Council of Trade and Plantations to the Queen. There Whitehall. being frequent demands from the Plantations of arms, ammunition, ordnance, and ordnance stores, and particularly of late from Virginia, the Massachusetts Bay, and the Leeward Islands. The Council and Assembly of Nevis have represented to us that by reason of the attempts of the enemy in 1706, the hurricane in 1707, and by reason of two years of drought since, they are rendred unable to take care of their own security as formerly in providing such stores as are necessary for their defence, and therefore pray your Majesty will order them such arms, stores ammunition as are contain'd in the annex'd lists : But there being no fund as we are inform'd for supplying the said Plantations, we humbly take leave to offer that it is necessary some provision of a certain annual summ be made, for providing stores for the defence of the said Plantations. [C.O. 324, 10. pp. 1, 2.]

[Feb. 15.] **314.** Maryland Merchants to the Council of Trade and Plantations. The Government of Maryland having been vacant near three years : and finding by experience the laws in force respecting trade grow languid and faint, and that there is an occasion for some further laws to be enacted, wee humbly hope your Lordships will recommend it to H.M. to send a Governor to the said Province that is acquainted with that country, and its traffick, which may contribute to give new life and vigour to that Colony, and improve the Queen's revenue here. *Signed*, Arthur Bailey and three others. *Endorsed*, Recd., Read Feb. 15, 17 $\frac{1}{2}$. 1 p. [C.O. 5, 717. No. 48 ; and 5, 727. p. 311.]

[Feb. 15.] **315.** Deposition of W. Martin, of Antigua, as to the behaviour of Capt. Norbury. (v. Aug. 27, 1711 etc). *Signed*, Willm. Martin. *Endorsed*, Recd., Read Feb. 15, 17 $\frac{1}{2}$. 2 pp. [C.O. 152, 9. No. 101.]

[Feb. 16.] **316.** Capt. John Walton to the Council of Trade and Plantations. In reply to Mr. Popple's letter of the 2nd inst., whereby he intimates that your Lordships expect in writing what new matters he hath to offer, in relation to the Virgin Islands *encloses following*. *Continues* :—If these evidences are not sufficient

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enough to convince your Lordships of ye necessity of sending a Governor, and placing a Government there, for the honour of the Crown and the welfare of H.M. subjects in America, Mr. Walton is willing (since no good account can be expected from the Leeward Islands) to undertake a voyage thither, and to return as soon as possibly he can with a more exact plan of the said Islands, harbours and creeks, with samples of the several commodities growing there, *etc.* But Mr. Walton humbly hopes your Lordps. will represent to H.M. that he has had no salary or other reward, for his two years service there, as Lt. Governor, nor for his other services and expences for the publick good, *etc.* *Prays* for some consideration for his salary and past services, if it is not thought proper to settle a government there. *Endorsed*, Reed. 16th, Read 21st Feb., 17 $\frac{11}{2}$. 2 pp. *Enclosed*,

316. i. (a) Capt. John Perrie to Capt. Walton. Youghall, Sept. 7, 1711. If a government were settled on *Spanish Towne*, the windermost of the Virgin Islands, it would be a publick service, and might destroy the clandestine trade carried on at St. Thomas, and pirates sheltering among them, *etc.* *Tortola* from the endeavours of the Dutch to get it restored, and from the Hamburgers buying their pretentions to it, makes me beleive it must be a very good Island, for when I was sent downe by General Codrington, upon an order from hence, to enquire into our title and the Dutch's pretentions, I was offered a considerable summe by the Factor at St. Thomas's to make a report in their favour, and that the French did settle *Santa Cruz* is very well known, and I have been informed, that the Danes do lay claime and did hoist their flag on *Crab Island*, when a squadron of H.M. ships commanded by Mr. Nevile in May, 1697, was in those parts, *etc.* *Signed*, Jno. Perrie. *Copy*. 1 $\frac{1}{2}$ pp.

316. i (b) Observations on the harbours of the Virgin Islands, from the Journal of Capt. John Watts, H.M.S. *Sunn prize*. *Copy*. 1 p.

316. i. (c) Extract from a letter from the Surveyor General of Barbados and the Leeward Islands to H.M. Commissioners of the Customs. Anguila and Spanish Towne make 50 to 60,000 of ginned cotton wool per annum, the greatest part whereof is carried to St. Thomas (Danish) Statia and Saba (Dutch) where they purchase necessarys for themselves and negroes in prejudice to the fair British traders in these parts, and as injurious to our cotton manufactory at home by having such a quantity of our Plantation produce carried direct to foreign markets, *etc.* *Proposes* that a Collector be placed at each of the Islands. *Copy*. 1 p. [*C.O.* 152, 9. Nos. 103, 103 i.; and 153, 11. pp. 438-444.]

Feb. 18.
Barbados.

317. Col. Lilly to [? the Earl of Dartmouth]. I sailed to Newfoundland on Aug. 8 after receiving H.M. command from the

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Board of Ordnance, and returned here on Nov. 1st, Governor Lowther having granted me his order for the *Burlington* man of war to carry me on this service, without which means near a whole year must have been lost, *etc.* I took a deligent survey of the chief part of the settlements at Newfoundland ; and did also use my endeavours to have the assistance of Commodore Crow's authority for repairing the fortifications already built at St. Johns ; but found there was no possibility of carrying on anything of that nature without assistance from England. I have by this conveyance transmitted my report *etc.* to the Board of Ordnance, *etc.* Signed, Chrn. Lilly. 1 p. [C.O. 28, 43. No. 72.]

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Barbados.

318. Governor Lowther to the Council of Trade and Plantations. When I writt the letter dated Dec. 20, 1711, which is here inclosed (*v.* C.S.P. Dec. 20, 1711), there was a prospect of a shipes going to Great Britain, but that failing I had no opportunity of sending you any letter since that time. I have some information that Mr. Hodges H.M. late Attorney General here hath not only thrown some reflections upon me, but hath also complained that he had a right by H.M. licence to name a deputy and that I refused him the benefit of it : to this I answer that if Mr. Hodges had shewed me such licence, I had certainly yielded all imaginable obedience to it, but I deny that he ever shewed me such licence, it is true, he shewed me a piece of paper which he called a licence, but it was so much defaced, and there was so much wanting of it, that it was not intelligible, therefore to supply this defect he produced another piece of paper writ in his own hand which he called a copy of the said licence : upon this I asked if he had any attested copy of it, to which he answered that he had not, whereupon I told him that what he produced was not a sufficient order for me to take notice off, and that if he left the Island, I would appoint a sufficient person to execute the office of Attorney General till H.M. pleasure was known, *etc.* I have suspended one Mr. Carter from the exercise of his profession in the Law for appearing against the Queen at a time when he served H.M. as Solicitor General, but have since given him to understand that I will restore him provided he will acknowledge his fault and make his submission. I shall by the next opportunity send all the papers relating thereto, *etc.* Mr. Turner, Chilton, Hodges, Slingsby, Beak and Symonds are all late instances of suspensions of this nature, but I may venture to say that none of these Gentlemen had offended the twentieth part so much as Mr. Carter. I have directed the Attorney General to lay before your Lordships the case of the ship *Oxford* *etc.* I have suspended Mr. Skene who was both private and publick Secretary at the advice and request of the Council and General Assembly. *Papers enclosed.* Mr. Duglas, General of the Leeward Islands writ me the following letter : " Antigua, Jan. 7, 1711. I gave you an account the other day that I designed very speedily to put H.M. orders in execution by making an example of some of the most notorious offenders in the late Rebellion,

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and I wish the *Panther* and *Experiment* were to stay a few days least their countenance should be necessary, hoping they will speedily return. Mr. Thomas Kerby, who is supposed to have fled from justice, and betrayed the late General both as private and publick Secretary, and one of the chief promoters of the late traytorous rebellion, and the person that is proved that fired the first musket against General Park, and advanced 20 paces at the head of that villanous rabble. I hope you will not judge so treasonable a murther can be bailed, but that he may be sent for England, there being sufficient evidence to prove the charge against him in England already, or kept in a dungeon untill I send for him. *P.S.* Lt. General Hamilton having misbehaved himself in openly favouring of the rebells, I design in a few days to suspend him." Upon the receipt of this letter, I made it my business to learn whether Kerby was come to this Island, which with some paines and difficulty I not only understood, but also found out that he was at the house of one Mr. Codrington, notwithstanding which I did not think it prudent at that time to send out a warrant to apprehend him, because of the just distrust I had of the officers that were to execute it, for this, and some other reasons, I was forced to take no manner of notice of him for some time, which had the desired effect, for through this, he and his party conjectured that I knew nothing of him or his character, therefore on the 20th of the last month he came to church, which I perceiving by the description I had got of his person, did take that opportunity to apprehend him myself, and having so done I committed him to gaol for high treason, where at first he had all the indulgence shewn him that was proper for one in his circumstance, but the people of his principles and friends (of which Mr. Corbin and Skene whome I have suspended are two) abused it to such a degree by the great respect they shewed him, in sending him presents and in going very frequently to see him in prison, and this wrought so much upon the minds of the ignorant people, that they began not only to justify, but to commend the crime for which he was committed, and to pity him as a great sufferer : this therefore obliged me to put a strict guard upon him, and to direct that nobody should go to see him, apprehending that a people which so gloried in his crime, would not be long without attempting to rescue him : in this state of the matter, the General Assembly addressed me to send all the French prisoners to Great Britain, in one of H.M. shipes that attends this station. I laid the said Address before the Council, who all unanimously agreed to it : hereupon I sent orders in writing to Mr. Constable (the Senior Captain upon this station) to direct the *Burlington* to be got ready to go to Great Britain for H.M. service, but he writ me word he would not send her : such disobedience to orders and contempt of Government, hath been extreemly injurious to H.M. service, and a great encouragement to all the factious and rebellious people, and may be of very ill consequence upon any extraordinary emergency. After Mr. Constable had disobeyed my orders, it was with great difficulty that I even kept Kerby in prison till I could hire a vessel at my

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own charge to send him to England to be tried : this I esteemed absolutely necessary for H.M. service, as well as to shew the people that all their endeavours and artifices should not prevent justice being done upon so heinous a criminal. I must now remind your Lordships that I have no power by the Commission of Vice Admiral to call any of the Captains of the men of war to an account for the breaking of any of my orders, and I again submit it to your Lordships whether such a power is not necessary as is hinted at in H.M. Instructions to me. I have advice from England that one Mr. Sheard hath given out that he is to succeed me in the Government, and that I shall be recalled upon the least complaint, this being rumoured here, some malicious people have privately hired a vessel and sent her away freighted with all the ill nature and slander that they could rake together. As I am conscious of no fault I have committed, I cannot now make a defence to any accusation my enemys have or may exhibit against me, they not having intimated any of their designs of that kind to me : it is my good fortune that the Council, General Assembly and Grand Jury have all expressed their satisfaction and approbation of my conduct and administration, and I may venture to say that I have not wronged or injured any person whatever : I therefore humbly hope that your Lordships will think it reasonable to hear me against the complaints of some male-contents, before any judgment or censure is past upon them. I have appointed Mr. Barwick to execute the office of Secretary till H.M. pleasure is known. I have directed him to keep an exact account of the profits, that H.M. may dispose thereof as shall be thought most meet. I pitched upon this Gentleman for his fair character, liberal fortune, and great ingenuity, *etc.* Signed, Rob. Lowther. Endorsed, Recd. April 11, 1712, Read July 17, 1713. *Holograph.* 3 $\frac{3}{4}$ pp. *Enclosed.*

318. i. Arthur Slingsby to the Council of Trade and Plantations. Encloses following by Governor Lowther's command. Signed, Arth. Slingsby. Feb. 18, 1712. $\frac{1}{2}$ p.
318. ii. Copy of Clearance bill of the *Oxford*, Robert Knowles Master, (v. May 2) from Kingsale. Oct. 4, 1711. $\frac{3}{4}$ p.
318. iii. Copy of manifest of goods imported by the *Oxford* from Bristol and Kingsale, delivered by Mr. Addison to the Governor of Barbados. Nov. 16, 1711. 1 p.
318. iv. A statement of case of the *Oxford* (v. May 2.) The ship broke bulk, in spite of warning, before the Governor had seen the clearance bills or could compare them with the manifest. After comparing the entries made at the Custome-house *etc.*, it appeared plainly that they differed materially from the manifest and clearance bill. (ii. and iii.) *Details given* and case of the trial *etc.* stated. 3 $\frac{1}{2}$ large pp.
318. v. Copy of proposed bond for the appearance of Capt. Robert Knowles of the *Oxford* to answer a libel exhibited against the *Oxford*, the prosecution being meanwhile

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deferred 10 months for him to produce H.M. pardon for his breaches of the Acts of Trade. 4 pp.

318. vi. Copies of papers relating to the case of Alexander Skene, Secretary of Barbados. (v. Nov. 20) (a) Governor Lowther's message to the Council and Assembly, requesting them to enquire into the perquisites of that office. (b) Report of the Committee of the Council and Assembly. Skene has been guilty of charging exorbitant fees even since H.M. graciously pardoned him after his suspension for three years. He has not hung up a table of fees, as the law directs, and has extorted 20s. per head from masters of ships who were transporting French prisoners to England last Aug.; *etc. etc.* He is incapable, arrogant, disrespectful, and presumptuous in giving orders without your Excellency's directions in matters over which he has no powers. We believe him to betray the confidential debates of the Council. We entreat your Excellency to suspend and replace him till H.M. pleasure be known. We conclude by expressing our entire satisfaction and approbation of your Excellency's conduct through the whole administration of the affaires of this Island. It has already had good effects. The late Grand Jury expressed a just sence of your merritt, *etc.* (c) Extracts from Minutes of Council of Barbados, 1699-1708. (d) Depositions of Capt. Kingston Townsend, Capt. John Robinson, Thomas Poor, Arthur Upton, Robert Aylmore, Bryan Karney, Richard Downes, Edmund Sutton, Joseph Young *etc.*, in support of preceding. *The whole endorsed, Reed. April 11, 1712, Read July 17, 1713.* 49 pp.

318. vii. Governor Lowther's warrant suspending Alexander Skene from all his places till H.M. pleasure is known. Feb. 12, 17 $\frac{1}{2}$. *Signed, Robt. Lowther. Copy.* 1 p.

318. viii. Address of the General Assembly of Barbados to Governor Lowther. In consideration of their great charge to the country, we desire your Excellency to send all the French prisoners of war to Great Britain in one of H.M. ships. We understand some persons have sent a sloop to Great Britain without haveing any clearance for that port or desiring to know whether you had any dispatches for H.M. service. This disrespectful behaviour we cannot but greatly resent as both arising from and tending to faction and sedition. We beseech your Excellency to direct a strict enquiry to be made, who were the persons concerned, and distinguish them according to their demerit. Feb. 5, 1711 (12). 1 p. [*C.O.* 28, 13. Nos. 103, 103 i.-viii.; and (*without enclosures*) 29, 13. pp. 22-30.]

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Barbados.

319. Governor Lowther to the Earl of Dartmouth. *Repeats part of preceding letter. Concludes: I have advice of 17 sail of merchant shipes that are bound for Martinique from old France,*

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and that they will arrive in ten days. I have given the necessary orders to intercept them. *Signed*, Rob. Lowther. *Endorsed*, R. April 13. *Holograph*. 3 pp. *Enclosed*,

319. i. ii. Duplicates of No. 318 viii.

319. iii. Address of the Clergy of Barbados to the Queen. Praise Mr. William Sharpe, as President of the Council, *etc.* *Signed*, Gilbert Ramsay, Ad. Justice, And. Baillie, Charles Cuninghame, William Ball, Gilb. Wharton, Saml. Beresford, Willm. Gordon, Charles Irvine, Edw. Brice, Jno. Glasgow. 1 large p.

319. iv. Address of the Clergy of Barbados to the Queen. The address from the clergy here in favour of the late Governor Mr. Crowe was supposititious, *etc.* *Signed*, Charles Irvine, Sam. Beresford, Willm. Gordon, Edw. Brice, Charles Cuninghame, Jno. Glasgow, And. Baillie. 1 large p.

319. v. Address of the gentlemen and merchants of Barbados to the Queen. Praise Mr. Sharpe's administration and recommend him to H.M., whom he is now preparing to approach. 107 signatures. 1 large p.

319. vi. Governor Lowther's Warrant to the Master of the sloop *John and Mordecai* for taking Thomas Kerby in custody to England. *Signed*, Rob. Lowther. Feb. 18, 1711 (12). $\frac{3}{4}$ p.

319. vii. Governor Lowther's warrant for the commitment of Thomas Kerby for High Treason. *Signed*, Rob. Lowther. Feb. 18, 1711 (12). $\frac{3}{4}$ p.

319. viii. Address of the Grand Inquest of Barbados to the Queen. Dec. 11-14, 1711. *Return thanks* for H.M. favour and regard, especially in sending a Governor, thanks to whose prudence and good example the inhabitants are now more united in their common interest and temperate in their disputes, *etc.* *Signed*, Tho. Maycock, Wm. Sealy, Jo. Sampson, Henry Lintott, Rogr. Webb, Gerrott Herbert, Wm. Spencer, Edwin Carter, Jacob Wright, Henry Lawrence, Joseph Thorne, Jno. Carleton, Geo. Leader, Isaac Thorpe, Alex. Parris, Thos. Bourne, George Scott. 1 large p. [C.O. 28, 43. Nos. 71, 49, 49 i., 53 ; and (duplicate) 67, 68-70, 73, 74, 77.]

Feb. 18. Whitehall. **320.** Council of Trade and Plantations to the Lord High Treasurer. Request payment of enclosed account of office expenses and salaries, Michaelmas to Christmas, 1711. [C.O. 389, 37. pp. 29-31.]

Feb. 19. Whitehall. **321.** Council of Trade and Plantations to the Queen. Propose the disallowance of the Act of Barbados to render more effectual certain legacies by Capt. Williams, on the grounds set forth by the Attorney General, Jan. 18, q.v. [C.O. 29, 12. pp. 407, 408.]

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Feb. 19. **322.** Council of Trade and Plantations to the Lord Lansdown. We transmit to your Lordship a petition we have receiv'd from Major General Handasyd relating to the want of recruits and to the pay of his regiment in Jamaica. [*C.O.* 138, 13. *p.* 384.]
Whitehall.
- Feb. 19. **323.** Lord Lansdowne to the Council of Trade and Plantations. *Reply to preceding.* The matter is already under the consideration of the Comptrollers of the Accounts of the Army, *etc.* *Signed,* Lansdowne. *Endorsed,* Reed. 20th, Read 21st Feb., 17 $\frac{1}{2}$. 1 *p.* [*C.O.* 137, 9. *No.* 62 ; and 138, 13. *p.* 385.]
Whitehall.
- Feb. 19. **324.** Council of Trade and Plantations to the Queen. *Recommend* Edward Warner and William Mathews to fill two vacancies in the Council of Antego. [*C.O.* 153, 11. *p.* 436.]
Whitehall.
- [Feb. 19.] **325.** Rowland Tryon to the Council of Trade and Plantations. Genl. Douglass removed James Milliken from the Council of Nevis, and has refused to tell him his reasons, saying that he has communicated them to the Board. *Prays* on behalf of said Milliken that the Board will signify to him what those reasons are, in order that Milliken may justify himself, *etc.* *Endorsed,* Reed. Read Feb. 19, 17 $\frac{1}{2}$. 1 *p.* [*C.O.* 152, 9. *No.* 102 ; and 153, 11. *p.* 437.]
- Feb. 19. **326.** Council of Trade and Plantations to the Earl of Dartmouth. *Reply to Dec. 18, 1711.* We are humbly of opinion that the Hudsons Bay Company have a good right and just title to the whole Bay and Streight of Hudsons. *Enclose* the Company's petition relating to the settlement of boundaries (*v.* Feb. 8), upon which we take leave to offer that as it will be for the advantage of the Company, that their boundaries be settled, it will also be necessary that the boundaries between H.M. Colonies on the Continent of America, and the French of Canada, be likewise agreed and settled ; wherefore we humbly offer these matters may be recommended to H.M. Plenepotentiaries at Utrecht. *Autograph signatures.* 1 $\frac{3}{4}$ *pp.* [*C.O.* 134, 3. *No.* 19 ; and 135, 3. *p.* 120.]
Whitehall.
- Feb. 20. **327.** Rev. Mr. Collins to the Earl of Dartmouth. *Presses* for an answer to his brother's petition *etc.* *cf.* Jan. 21 and May 20. *Signed,* Edward Collins. 2 *pp.* [*C.O.* 194, 24. *No.* 9.]
Wimbledon.
- Feb. 21. **328.** The Earl of Dartmouth to the Council of Trade and Plantations. *Encloses following,* which H.M. thinks proper should be considered at your Board, and that you report your opinion, upon the several points therein mentioned. *Signed,* Dartmouth. *Endorsed,* Recd. 23rd, Read 25th Feb., 17 $\frac{1}{2}$. 1 *p.* *Enclosed,*
Whitehall.
328. i. Extracts from a letter from Governor Douglas to the Earl of Dartmouth. Duplicate of Nov. 28, 1711. *q.v.* [*C.O.* 152, 9. *Nos.* 104, 104 i. ; and 153, 11. *pp.* 444-448.]

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Whitehall.

329. Council of Trade and Plantations to the Queen. Report upon the petition of Tho. Simpson and the widow of Charles Gandy of Port Royal in Jamaica, (v. Sept. 17, 1711), praying to be relieved from the prosecution of Charles Chaplin, H.M. Deputy Collector, *etc.* On April 5, 1710, an Act was past in Jamaica for fitting out two sloops for the defence of the Island, and appointing Thomas Finch, Charles Gandy and Thomas Simpson commissioners for its execution, any two of them to act in the hiring or fitting out of the sloops. But by a clause in the Act the Collector is to pay £5000 into the hands of the Commissioners. The Commissioners entred into separate bonds to H.M. in the penalty of £5000 that they shou'd each of them render just accounts to any Assembly when sitting. Simpson received £800 of Chaplin ; soon after which he and Gandy went to sea, where Gandy was killed. During their absence Finch received £1500 of Chaplin. After Simpson's return he and Finch apply'd themselves to the business intended, but as money came in slowly from Chaplin, Finch on April 10, 1711, enquired of Chaplin the reason, who told him that the money was wanting from him, he being indebted to Chaplin, upon which a dispute arose between them and at last Finch by threats and otherwise did sign a receipt to Chaplin for £2300, and for £1500 abovementioned, making together £3800, tho' he had receiv'd but £1500 thereof. The Assembly met April 17th, and enquiring what had been done, Chaplin produc'd the said receipt. Finch in his justification declar'd to the Assembly that he had only receiv'd the £1500, alledging the receipt for £3800 had been exacted from him by force. Notwithstanding which the Assembly expell'd him from their House, of which he was a member. On June 8, 1711, the Assembly pass'd another Act *for vesting the estate real and personal of the said Tho. Finch in trustees the better to enable his sureties to pay £3800 due from him to the public.*

Upon which last Act we take leave to observe that it vests the real and personal estate of Finch in trustees to enable Simpson and Gandy to pay the £3800, but makes no provision for the overplus, which is a very great hardship upon Finch, for by the laws of that Island real estates are not subject to pay debts, besides that we do not conceive there was any need of taking this extraordinary method of an Act, for that his sureties might have had their remedy at law. Pursuant to this Act the said trustees have already sold part of Finches estate for considerably less than had been offer'd for it ; Finch will by these proceedings be intirely ruin'd, and his creditors here, who had intrusted him with considerable effects will by this means be very great sufferers. By the first mention'd Act for raising the £5000, the Deputy Collector, Mr. Chaplin, is directed to pay the money to the Commissrs., so that his paying it to Finch alone (in case he did so pay it) is not warrantable by the Act ; but it does not appear to us that Finch did receive any more than £1500. Upon the whole, we are humbly of opinion that the foresaid Act *for vesting Finche's estate in trustees* is unpresented and unreasonable, and considering the said Simpson and the widow Gandy may have their

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remedy at law against Finch for so much money as he actually receiv'd of Mr. Chaplin, we are humbly of opinion that your Majesty be graciously pleas'd to signify your disallowance of the said Act. [C.O. 138, 13. pp. 386-390.]

Feb. 22.
Barbados.

330. Col. Lilly to the Council of Trade and Plantations. Encloses following. *Signed*, Chrn. Lilly. *Endorsed*, Reed. 24th May, 1712, Read March 25th, 1716. 1 p. *Enclosed*,

330. i. Report by Col. Lilly, Engineer, on the fortifications and harbours of Newfoundland. Barbados, Nov. 12, 1711. The defects of the Fort William at St. John's, (which incloses but about $\frac{3}{4}$ of an acre, tho' it stands upon more) are that it is commanded by the skirt of the mountain that reaches within less than a quarter of a mile to the eastward of it, it wants proper flanks for its defence, its rampart or earthen walls being but four feet high is too low to shelter the inhabitants and their houses, or rather hutts, against an enemy's artillery. The parapet or brestwork upon this wall being but two feet thick and three feet high besides ye stakes that support it from falling, is also too low and too weak for to make any tollerable resistance, the outward talu of its rampart is so very easie of ascent, that I think this place has nothing to prevent an enemy's insults, except 4 rows of pallisadoes which do surround it, and severall of these I found too small, and some of them rotten. Wherefore I desired the Commadore and Commander in Chief to assist me in commanding some of the people to go to work while I directed them towards repairing the Fort, but he made answer that he could not command a number sufficient for such an undertaking, and that there was no possibility of carrying on anything of fortification work in that country without assistance from England, and indeed this is my oppinion also, however I prevail'd with him so farr that he immediately gave orders for a sufficient number of new pallisados to be cut and placed where the old ones were defective, *etc.* To make a good and lasting settlement in Newfoundland, a good but small fort should be built on the Northwest part of Ferryland head. *Describes* English settlements in Newfoundland; St. John's Harbour, and Ferryland Harbour, and how Ferryland might be fortified, with details of plan. Jan. 28, 1712. *Signed*, Chrn. Lilly. *Endorsed as covering letter.* 21 closely written pp. [C.O. 194, 6. Nos. 14, 14 i.; and (without enclosures) 195, 6. pp. 266-268.]

Feb. 25.

331. Mr. Attorney General to the Lord High Treasurer. In obedience to your Lordship's commands, I have considered the report of the Council of Trade and Plantations upon the memorial of William Pen, Esq., Proprietor and Governor of Pensilvania proposing to surrender to H.M. the powers of Govern-

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ment wherewith he is invested, and I have also perus'd the grant of that Govt. to him by King Charles II, with other deeds relating to Mr. Penn's title thereto, and to the Government of the tract of land on Delaware River and Bay now call'd the Town or Colony of New Castle alias Delaware, and he has made out to me his title thereto, and according to your Lordp's. commands, I have prepar'd a draught of a surrender of those powers from Mr. Penn and others in whom the legal estate is under him to H.M. reserving to Mr. Penn his right to the soil of those Colonys. In the Letters Patents of King Charles II there are granted to Mr. Penn all mines of gold and silver in Pensilvania, wch. he says he cannot surrender to the Crown, having made sevl. grants thereof to sevl. people, wch. are not in his power, and therefore the surrender of them is not in the draught prepar'd, altho' if it be insisted on he may surrender and assign what is not granted. There is likewise an instrument prepar'd for H.M. accepting the said surrender; and in it Mr. Penn is an humble suitor to H.M. that she would be pleas'd thereby to declare, that she will take the people of his persuasion as well as other ye inhabitants of those Colonys into H.M. protection. I do not observe that there is any provision made for ye support of the Govt. there by any Act of Assembly, or otherwise, without wch. the Government will be a charge to H.M. But the Council of Trade and Plantations in their report have represented that Mr. Penn affirms he dos not doubt, but ye Assembly will readily make provision for the same; and he acquaints me that the fines and forfeitures there, wch. have been and may be apply'd hereto are considerable. *Signed*, Edw. Northey. *Endorsed*, Recd. (from ye Treasury) Read 30th Aug., 1715. 2 pp. [C.O. 5, 1265. No. 5; and 5, 1292. pp. 466-468.]

Feb. 25. **332.** H.M. licence of leave of absence for 12 months to Lt. St. James's. General Walter Hamilton, upon his petition, for the recovery of his health. *Countersigned*, Dartmouth. [C.O. 324, 32. pp. 129, 130; and 152, 39. No. 123.]

Feb. 27. **333.** Deposition of William Martin. The duty upon liquors imported annually into Antigua does not amount to more than £600 currt. money of that Island. Deponent would not purchase the profits of the liquor office there at any greater expectancy. *Signed*, Wm. Martin. *Endorsed*, Reed. Read March 3, 17 $\frac{1}{2}$. $\frac{3}{4}$ p. [C.O. 152, 9. No. 105.]

Feb. 28. **334.** Council of Trade and Plantations to the Queen. In Whitehall. obedience to your Majesty's Order in Council of 13th Dec. last, we have considered the complaints against Edw. Jones, *etc.*, and have seen the records of nine several convictions offered in proof of some of the Articles against him, some of which convictions are for cruelty, extortion, illegal and arbitrary proceedings in the execution of his office and as your Majesty is pleased to direct, that we do not admit any proofs to be made against the said records, we shall not trouble your Majesty with the other articles, these nine being sufficient to render him unfit to serve your

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Majesty *etc.* Recommend Mr. Wm. Hyde as Secretary and Provost Marshal of Bermuda in his stead. 1 $\frac{1}{4}$ pp. [C.O. 37, 28. No. 10.]

March 1.
New York.

335. Governor Hunter to the Council of Trade and Plantations. *Encloses following proposals.* As to the first, I am apt to think such a vessel would be of great service here with a ship of better force, and that she may be built on reasonable terms, but whether she can be built without a Parliamentary fund, or whether the concession proposed for naming the Commander here will be given way to, your Lordships will be better judges. The other proposals carry with them such persuasive reasons (I mean those for saving the publick money) that I could heartily wish the experiment was made, the expences can't be much and the consequences may be so good that I hope your Lordships will take them into your consideration, and if you think them of any moment that you will be pleased to obtain H.M. commands thereon. I must again beg your Lordships to signify H.M. pleasure concerning the gentlemen of the Council of Jersey whom I desired to have removed, *etc.* Your Lordships may guess my uneasiness at having heard nothing from your Lordships since last summer, neither have advice of the payment of any of my bills on account of the Palatines, but I go on with the work as if I had, having (as your Lordships well know) H.M. commands to that effect, *etc.* P.S. Inclosed I send two Acts passed in Jersey *for levying money etc. for the expedition against Canada, and for the currency of bills of credit*, neither of which want any remark. I likewise send the last Minutes of Council, *etc.* Signed, Ro. Hunter. *Endorsed*, Recd. 10th April, Read Aug. 6th, 1712. 1 p. *Enclosed*,

335. i. Copy of Address of the principal merchants and traders of New York to Governor Hunter. The said merchants and traders being fully satisfied of your Excellency's generous inclinations to encourage the trade and navigation of this province, of which they have manifest proofs, not only by the assistance your Excellency hath given them, but that during your Excellency's administration they have been freed from all unjust and unfair molestations therein, but to their great griefe the same has not had its desired effects by reason that during this present warr this coast has been very much annoyed by a number of small privateers, who by the advantage of their oars and shoal water keep out of the reach of H.M. ships of warr appointed for the guarding of the same, whereby this Province[s] is deprived of the principal benefit H.M. designed in sending them hither, the dismal examples we have had not only of our vessels being taken on the coast, but even out of our very harbours are evident proof thereof, *etc.* Recommend Col. Heathcote's scheme for a small galley to be provided for guarding the coast, and pray H.E. to request H.M. to sanction the com-

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missioning of such a frigate. *v.* N.Y. Docs. V. p. 306. *Endorsed as preceding.* 1 p.

335. ii. Col. Heathcote's scheme for building and subsisting a galley and frigate at New York as H.M. ships of war to guard the coasts of New York and New Jersey, more effectively and at less cost, *etc.* 1 $\frac{3}{4}$ pp. *Set out*, N.Y. Docs. V. pp. 307, 308. *q.v.*
335. iii. Col. Heathcote's scheme for raising Naval Stores. *Set out*, N.Y. Docs. V. pp. 308-310. *q.v.* 2 pp. [C.O. 5, 1050. Nos. 50, 50 i.-iii.; and (without enclosures) 5, 1123. pp. 27-29.]

March 1.

- 336.** Memorandum of preceding letter. $\frac{1}{2}$ p. *Enclosed*,
 336. i. Copy of an Act of New Jersey for the better recovery of H.M. quit-rents. *Endorsed*, Recd. April 10, 1712, Read March 19, 17 $\frac{1}{3}$. $\frac{3}{4}$ p.
 336. ii. Copy of an Act of New Jersey to prevent soldiers and sailors from deserting H.M. service, and servants or slaves deserting their masters or mistresses. Same endorsement. 3 $\frac{1}{2}$ th pp. [C.O. 5, 970. Nos. 156, 156 i. ii.]

March 1.

- 337.** Governor Hunter to the Lord Bishop of [? London]. *Complaint of the factious behaviour of Mr. Vesey, Rector of Trinity Church, and other clergy in the province of New York, etc.* *Set out*, N.Y. Docs. V. pp. 310-312, *q.v.* *Endorsed*, Recd. June 5, 1712. *Copy.* 10 pp. *Enclosed*,
 337. i. Governor Hunter to John Chamberlayne, Secretary of the Society for propagating the Gospel in foreign parts. Feb. 25, 17 $\frac{1}{2}$. *Describes* the factious and malicious behaviour of some of the clergy. *Set out*, N.Y. Docs. V. pp. 312-317, *q.v.* *Copy.* 14 pp.
 337. ii. Col. Morris to John Chamberlayne. On the same. *Set out*, N.Y. Docs. V. pp. 318-323, *q.v.* *Copy (incomplete).* 18 pp.
 337. iii. Copy of an Address from the Clergy of New York to Governor Hunter. *Set out*, N.Y. Docs. V. pp. 325, 326, *q.v.* 4 pp.
 337. iv. Governor Hunter to the Rev. Mr. Poyer, New York, Jan. 26, 17 $\frac{1}{2}$. *Set out*, N.Y. Docs. V. pp. 326, 327, *q.v.* *Copy.* 2 pp.
 337. v. Mr. Poyer to Governor Hunter. Jamaica (N.Y.) Jan. 30, 17 $\frac{1}{2}$. *Reply to preceding.* *Set out*, N.Y. Docs. V. p. 327. *Copy.* 3 pp.
 337. vi. The case of the Church at Jamaica. *Set out*, N.Y. Docs. V. p. 328. *Copy.* 2 pp.
 337. vii. Judgment in the case of the Rev. Mr. Poyer *v.* Churchwardens of Jamaica. *Set out*, N.Y. Docs. V. pp. 328, 329. *Copy.* 1 $\frac{1}{2}$ pp. [C.O. 5, 1050. Nos. 46, 46 i.-vii.]

March 5.

- 338.** Stephen Duport to the Council of Trade and Plantations. *Petitions*, in behalf of Capt. Ralf Willett, that he may be

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appointed to the Council of St. Christophers in the room of John Peteres, decd., he having a good estate in that Island, and being in every way qualified to serve H.M. etc. *Endorsed*, Recd. 5th, Read 20th March, 17 $\frac{1}{2}$. 1 p. [*C.O.* 152, 9. No. 106; and 153, 11. p. 449.]

March 5. **339.** Lords Proprietors of Carolina to Col. Spotswood, Lt. Craven House. Governor of Virginia. In the several accounts we have receiv'd relating to the great disorders and insurrections that have of late happen'd in the province of North Carolina, we have constantly been inform'd of your good offices and friendly endeavours to appease those commotions and to reconcile the inhabitants to Mr. Hyde their lawful Governor. On Tuesday last we receiv'd a letter from you dated July 27, 1711 (by what accident it came no sooner to our hands we can't tell) wherein you give us an acct. that by your kind and timely assistance of Mr. Hyde and his Council with the marines from your guard ships and your good management, the tumults were quell'd and peace and tranquillity in a great measure settled and established amongst H.M. subjects in that part of the Province. We therefore take this opportunity to return you our hearty thanks for this your friendship and the generous assistance you have been pleas'd to give to that distracted Government, and to assure you of our constant readiness on all occasions to do you any service, etc. *Signed*, Beaufort, Carteret, M. Ashley, J. Colleton. [*C.O.* 5, 290. p. 53.]

March 6. **340.** Commission and Instructions of Arthur Prior, to be Chief Justice, and Daniel Prior Attorney General, of North Carolina. *Signed*, Beaufort, Carteret, Ful. Skipwith, M. Ashley, J. Colleton, J. Danson. [*C.O.* 5, 290. pp. 54, 55.]

March 8. **341.** Order of Queen in Council. Repealing Act of Barbados St. James's. *to render more effective certain legacies bequeathed by Capt. Williams, etc.* (v. Jan. 18). *Signed*, William Blathwayt. *Endorsed*, Recd. 25th, Read 31st Oct., 1712. 1 $\frac{3}{4}$ pp. [*C.O.* 28, 13. No. 95; and 29, 12. pp. 439, 440.]

March 8. **342.** Order of Queen in Council. Appointing William Mathew St. James's. to the Council of Antego. *Signed*, William Blathwayt. 1 $\frac{1}{2}$ pp. [*C.O.* 5, 11. No. 74.]

March 8. **343.** Order of Queen in Council. Restoring Mr. John Frere St. James's. to his precedence in the Council of Barbados. (v. Jan. 17 and 25, 1712). *Signed*, Ja. Vernon. *Endorsed*, Recd. Read June 24, 1715. 1 $\frac{1}{4}$ pp. [*C.O.* 28, 14. No. 41; and 29, 13. pp. 309, 310.]

March 8. **344.** Order of Queen in Council. Referring back their report St. James's. upon the petition of Thomas Simpson and the widow Gandy, (v. Feb. 21), and also a further petition from the same, to the Council of Trade and Plantations, who are to consult H.M. Attorney and Solicitor General therein in order to a further report to H.M. (v. A.P.C. II. No. 1153). *Signed*, William Blathwayt.

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Endorsed, Recd. March 12th, Read Nov. 11th, 1712. 1 p.
Enclosed,

344. i. Petition of Thomas Simpson of Jamaica and the widow of Charles Gandy to the Queen. *Pray* that the Act of Jamaica for vesting Finch's estate in trustees to raise £3800, in order to make good to petitioners that sum paid down by them in accordance with that Act, may be confirmed. 5½ pp. [*C.O.* 137, 9. Nos. 73, 73 i.; and (*without enclosure*) 138, 13. pp. 407, 408.]

March 8.
St. Jago
Delavega.

345. Governor Lord A. Hamilton to the Council of Trade and Plantations. *Acknowledges* two letters under the same cover. *Replies to enquiries of Oct. 26th* :—To article (i.) your Lordships will have received a full answer in the Receiver General's accots., which I have transmitted and shall continue half yearly, as is required by H.M. Instructions, *etc.* (ii.) The offices in this Island, other than Patent offices, are very inconsiderable. As to publick charges, and the state of the revenue, I refer your Lops. to my letter of Jan. 19. (iii.) I inclose a list of all the Patent-offices, *etc.* I have not as yet found any reason to suspect that these offices are well enough discharged, at least have received no complaints of any of them. But as I find in case of misbehaviour or insufficiency in any officer which may be appointed, H.M. by this Instruction has been pleas'd to lodge a sufficient power in her Governor for the remedy of it. I cannot but take notice to your Lordps. on this occasion, of an Act lately past here, and which I now suppose to be under your Lordps. consideration, *to prevent any one person from holding two or more offices of profit in this Island*, which appears to me to be an encroachment on the Queen's prerogative. This Act will appear to your Lordps. to be principally intended to provide that the same person shall not be Secretary and Provost-Marshall; and I must so far agree in the reasonableness of it, that those being two of the most considerable offices, they would be too much for one person: But, my Lords, the true state of that matter is, as I here set them down in the list, Mr. Rigby executes Mr. Baber's office, and Mr. Nichols executes Mr. Rigby's; and this, it seems, was first admitted by the late Governor upon Sir Edward Northey's opinion of the legality of it; if it be legal I see no inconveniency in it: H.M. Instructions seeming chiefly to require that the offices be well executed: and I must do Mr. Rigby the justice to say he executes the Secretary's Office with general satisfaction: But however this agree with your Lordps.' judgements, I believe you will be of opinion that this Act is too general. My Lords, I am told the offices of Naval Officer and Register of the Admiralty have ever been in the same person; and the Secretary's and Clerk of the Council, unless hindred by some extraordinary circumstance; and in both these there is such affinity and relation that it seems almost necessary. Besides here are some offices of very small profits, which are for instance: the Clerk of the Crown, the Advocate General, the Judges of all Petit-Courts, the several Coroners, Clerks of the Peace and Clerks of the Market; all

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which by the general words of this Act must be in different persons ; and which I really think, by reason of the scarcity of people, and especially of persons capable, may be attended with great inconveniencies. I have troubled your Lops. too long on this article ; But if it concerns the Prerogative as I think it does, I hope your Lordps. will excuse it, and represent this Act to H.M. for her disallowance. (iv.) An account of all Courts, Offices, *etc.* I beg your Lops. will excuse me if I suppose this Instruction to have been given in the infancy of these Colonies, before the Civil Government was well settled, and the several jurisdictions established by a Law : There is an Act of this Island *for establishing of Courts and directing Marshals' proceedings*, which I think contains all the jurisdictions of the Courts : in which there seems this notable defect that lands are not extendable here. I take it that the Bill of Fees now before your Lordps. contains a full answer to Article (v.) ; and as this bill has been long a framing, and your Lordps. may have heard much upon the subject, I shall say but little. I think I should not be altogether just to the Government I am at present honour'd with, if I did not take notice to your Lops. that several fees which I am inform'd every Governor has had, are by this Act taken away ; amongst which I think none more extraordinary than that which was paid for the Broad Seal, on all publick attestations, and is now had gratis. (vi.) The account of the number of inhabitants must be collected from the several Parish-books, and from the musters of the several Regiments ; some of which, tho' I have frequently required them, have not as yet been sent me ; and having given your Lops. my opinion of the state of this Island more generally in my last letter, I will desire leave to deferr this till I can get the whole, that I may then give you but one trouble. (vii.) How many are born, christen'd and buried ? This I have sent to the Commissary and have requir'd him to give directions to all the Ministers of the several parishes, to give me an accot. from time to time ; but have not been able to obtain it. (viii.) I have not yet received the accots. of arms *etc.* from the proper officers, but shall as soon as possible endeavour to comply with this article. (ix.) Your Lops. will I hope before this can come to hand, have received the account of negroes *etc.* at large, which I have sent as certified to me by the Naval Officer ; and your Lops. will observe that there is no proportion between the import of negroes by the Company and separate traders ; the latter so much exceeding ; and indeed I cannot but acquaint your Lops. that it seems to be the universal opinion both of merchants and planters here that an exclusive trade to Africa would be extremely prejudicial to them. (x.) *Refers to letter of Jan. 19.* By another opportunity I will send the plans of what additional fortifications are intended to be made, and I shall then be better able to inform your Lops. what ordinances will be necessary. As to improvements by trade, I am told the flourishing time of this Colony was when the Assiento was settled here ; which the French have now the advantage of. If a favourable opportunity offers, (which probably may at the conclusion of peace) I cannot doubt but

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your Lordps. will contribute as much as you can to the re-establishment of it here upon a like bottom ; the advantage whereof will center in great Britain.

Acknowledges letter of Nov. 22 and Act relating to duties. We are in hopes what has been further represented to your Lops. on that head will obtain the same reliefe to the bonds. I shall observe your Lops.' directions as to the Assembly's pretended right of adjournment, if ever they be so unwise as to put it to the tryal ; which I hope they will not. And here I think myself in justice obliged to acquaint your Lops. that Mr. Brodrick the present Speaker of the Assembly, then a Member of the House, strenuously opposed that proceeding, and asserted H.M. prerogative ; and I beg leave to take this opportunity of recommending him to your Lops.' favor that he may be restored to his place in the Council here, which I am perswaded will be for H.M. service ; and as that is what chiefly induces me to this recommendation, so it will be the strongest argument with your Lordps. in his favour. I have had a private information that some Acts that have been transmitted to your Lops. from hence, have not had the seal affixed to them ; which tho your Lops. mention to have under consideration, you are so obliging as not to take notice of. I have examin'd into that matter, and cannot tell where to fix the omission ; but I must bear the blame to your Lordps. I have endeavour'd however to retrieve the mistake as soon as may be, by sending duplicates of two Acts, which were the only indefinite Acts past that session : the others being expired I thought immaterial. I am glad your Lordps. approve of what I have done in rejecting the cartel offered by the French : you will be confirmed in the reasonableness of my having so done, when I acquaint you that we take many more French prisoners than they do British. I am likewise with great satisfaction to acquaint your Lordps. that the arrival of several ships lately with provisions from Europe, and the goodness of the season here, both as to sugar and plantation provisions, have already in a great measure removed all complaints mention'd in my former, in relation to the then scarcity thereof. *Signed*, A. Hamilton. *Endorsed*, Recd. May 3, 1712, Read July 17, 1713. 7½ pp. *Enclosed*,

345. i. List of patent-offices in Jamaica.

<i>Office.</i>	<i>Patentee.</i>	<i>Office Executed by,</i>
Attorney General	William Brodrick	the Patentee
Receiver-General	Leonard Compere	Charles Chaplin
Secretary	John Baber	Richd. Rigby
Naval Officer	William Norris	the Patentee
Clerk of the Grand Court	Robert Clowes	Matthew Gregory
Cl. Cancel. & patents	Arthur Wynter	Francis Melling
Provost Marshal	Richd. Rigby	Harvey Nicholls
Clerk of the Crown	John Guey	John Guey
<i>Same endorsement.</i> ½ p. [C.O. 137, 10. Nos. 7, 7 i. ; and (without enclosure) 138, 13. pp. 450-460.]		

March 9
and

346. M. Latouch to Mademoiselle Budan et Cie. *Acknowledges* letters and cargo received by the *Duc d' Anjou*, which

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 April 15 (N.S.)
 Martinique. arrived safely in spite of 8 English ships which have been watching the island and taken a number of vessels, *etc.* A business letter dealing with accounts, disposal of merchandize, sailings, *etc.* for the Canary Islands and St. Malo, *etc.* and from the South Seas. Signed, S. Latouch. French. 15½ pp. [C.O. 166, 1. No. 5.]
- March 11. **347.** H.M. Warrant appointing William Mathew to one of St. James's. the two vacancies in the Council of Antegoa. Countersigned, Dartmouth. [C.O. 324, 32. pp. 132, 133.]
- March 11. **348.** Mr. Lowndes to Mr. Popple. The Lord High Treasurer Treasury Chambers. refers enclosed to the Council of Trade and Plantations for their report, *etc.* Signed, Wm. Lowndes. Endorsed, Recd. Read April 29, 1712. Addressed. 1 p. Enclosed,
 348 i. Copy of petition of Robert Lee, executor of the Earl of Stirling, for arrears due, *etc.* v. C.S.P. 1703. No. 142 i. . 2½ pp.
 348. ii. Copy of deed, signed by James Duke of York, Nov. 10, 1674, assigning to Lord Stirling £300 per annum out of the profits of the Province of New York in return for the surrender of his interests therein. 4 pp. [C.O. 5, 1050. Nos. 38, 37, 37 i.; and (covering letter and enclosure i. only) 5, 1122. pp. 493-495.]
- March 12. **349.** Council of Trade and Plantations to the Queen. Refer Whitehall. to memorial of merchants of Maryland Feb. 15. Recommend that Mr. Tobias Bowles be appointed to that Government, he having lived there several years, and being recommended by some of the principal merchants trading to Maryland, and others, as a person of integrity, ability, and well vers'd in the trade and constitution of that Province. We recommend him as a person of known loyalty, and well affected to your Majesty's Government, every way qualified to serve your Majesty in that trust. [C.O. 5, 727. pp. 312, 313.]
- March 12. **350.** Jos. French and Isaac Royall to Michael Ayon. If we were sure a letter by this opportunity would come safe to your hands you might have expected a full narration of affairs since the arrivall of our present Generall [=Governor Douglas, Ed.], but as it goes first to Nevis by a vessell in whom goes Lt. Genl. Hamilton to complaine against the Generall, doubt its mis-carriage, for wee are obliged to be as concise as wee can and shall only say that never were greater assurance given to a people worse performed then has been by our Generall to us att his first arrivall even till of late, oaths promises and assurances were plentifully past that justice should be done for our deare late Generall's murther. The soldyers sent up from Leeward, force writ for to Barbadoes, a Jamaica privateer detained who had on board 180 men they and their captaine brave true hearty men, but when it came to the push the mountaine produced a mole, there was nothing more then who gives most as if Parke's blood

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was to be sold by auction, so that from Clem the Butcher's cow vallue £12 to others of £1600 as it is said in the whole it cannot amount to less then £20,000 in Bills of Exchange money sugar cotton timber and bonds *etc.* never was bribery so barefaced. Indeed to amuze the world three or four of the fagg end were taken up and committed for five or six weekes but are since out on bayle for which they are no doubt well squeezed. Wee know his Instructions and the mereye the Queen had allowed the murtherers, and if according to those Instructions he had taken up the principalls to such a number and them to have sent home since they could not be tryed here, wee had clapt our hands on our mouths, but to turn the deepest tragedy that has been known into a comedy is what touches us to the quick, indeed, they have nothing to boast of being so well squeezed that 'tis beleived some of them will never retrieve themselves. Wee are desirous that this affaire should be well represented att home for as you observed in your letters you expected 'twould be sham'd off, hee is now the odium of both partyes, *etc.* *Signed*, Jos. French, Isaac Royall. *Endorsed*, Reed. (from Mr. Perry) June 6th, 1712. *Copy*. 1 p. [C.O. 152, 9. No. 118; and 153, 11. pp. 470-472.]

March 13.
New York.

351. Francis Harison to [? the Earl of Dartmouth]. Refers to his recommendation of him to Governor Hunter and begs for some promotion. *Signed*, Fra. Harison. 2 pp. [C.O. 5, 1085. No. 10.]

March 15.
Bermuda.

352. Lt. Governor Bennett to [? the Earl of Dartmouth]. Refers to last letter of Oct. 16. *Recommends* Ensign Walter Mitchel to be Lieutenant, in the place of Lt. John Davis, of H.M. Independent Company of Foot, and George Tucker ensign. *Signed*, Ben Bennett. *Holograph*. 1 p. [C.O. 37, 38. No. 11.]

March 15.
St. James's.

353. H.M. Warrant appointing Edward Warner to the Council of Antegoa. *Countersigned*, Dartmouth. *Endorsed*, Reed. Read, April 2, 1712. *Addressed*. *Copy*. 1 p. [C.O. 152, 9. No. 108; and 153, 11. p. 452; and 324, 32. p. 133.]

March 15.
Whitehall.

354. Council of Trade and Plantations to the Lord High Treasurer. *Report upon* Lord Orkney's memorial (v. Jan. 21). Upon the Assembly's having appropriated a fund for £5195 for ye building of such a house, which was thought would have been sufficient, the Governors were restrained from receiving the £150 per annum usually allow'd for house-rent. But in consideration that the said house is not yet habitable, and that the Governors and Col. Spotswood (as we are informed) have had leave to receive the said house rent for two years, and that the said rent has always been paid out of the duty of 2s. per hhd. on tobacco exported, which is appropriated to the use of the Governmt. there, we have no objection why Col. Spotswood may not be allowed to receive the said house rent for 2 years longer, if it shall not be made habitable before that time. [C.O. 5, 1363. pp. 396, 397; and 5, 1335. No. 169.]

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March 21.

Antigua.

355. John Wickham to [*Mr. Perry*]. Since our happyness depends in some measure on your makeing proper application, I can't but lett you know the state of our affaires *etc.* Our Generall arrived here July 7th. In regard of H.M. Commission and the so long wisht for releife of a gent. we thought sent from Heaven to us, he was received with all the solemnity our Island could afford and treated by all the Loyalists with wonderfull respect, *etc.* After some stay H.E. embarked for the other Islands, severall of our freinds shewed their zeale and true loyalty by waitcing on H.E. thither. During his stay at the Leward Islands, he writ severally to all or most of our freinds and particularly to our Lt. Governor Yeamans, allwayes signifyeing to us his sincere intention to doe the Queene justice *etc.*, which encouragements and the dislike of that barbarous action engaged us to raize £500 sterl. and gave the Generall our bills upon his promise to send to his brother Sr. John St. Leidger (in conjunction with you) to represent our case to H.M. with all the aggravateing circumstances that that barbarous murther was long designed before it was putt in execution, his late H.E. being shott att and once wounded with the addition of all manner of opprobrious language, *etc.* During the Generall's absence our Assembly still carryed on their heat and shewed their dislike of the present Government as well as the former by absolutely refusing to quarter H.M. soldyers notwithstanding they were often addressed to it by the Governour in Council, which the Governour signified to H.E. and in answer H.E. writ both to the Governour and Major Buer to gett subscriptions for the releife of those poor men and further that he would look upon those persons that refused it to be as one of the rebells and should be treated accordingly, which menaceing language wee none of us wanted being hearty wishers to princely Government, therefore wee freely subscribed for fourscore barrells of beefe and as much flower for the releife of the soldyers and severall gents. that had neither (it being at that time very scarce) subscribed for a yoke of oxen and all sorts of Indian provision. Notwithstanding all this the Generall (as it was generally thought and not without very good reason) did receive bonds for £5000 from Mr. Thomas Trant, who was sent by the rebells to Nevis to negotiate that affaire with H.E. After H.E.'s returne to this Island, he still promised to make us all easye and do the Queene justice, which wee had very little reason to beleive, his proceedings being generally disliked, beginning first with some little alteration in the Militia and suspended Mr. Lightfoot out of the Councill which I beleive he had sufficient reason to doe, soon after he issued out writts for the apprehending of some of the rebells, beginning (except Capt. Paynter) with some of the least in the Government extorting from them either money or bonds from very great summes even to £20, collecting by those measures (as is generally reported) from £30 to £50,000 in negroes, bills of exchange, plate, ready money and sugar, an estate fitter for a nobleman then a breviate major who sells the Queen's mercye by auction, which proceeding you may judge if it's not a mortifica-

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tion (beyond surviveing) to us poor Loyalists, nay, and farther upon H.M. birthday issued out a general pardon only excludeing Thomas Kerby that fled to Barbadoes and Capt. Paynter, Capt. Kerr, William Hamilton, and John King, which four were under confinement and admitted to bayle, tho' our Law sayes those that are guilty of high treason are not bailable and was the opinion of all the loyall part of the Councill. On H.M. birthday H.E. made a small treat but none of the loyalists anticipated of his dinner save one or two of the Queen's officers, but towards night some of them went to drink H.M. health and mett with some of the gent. rebells there who imediately insulted them, particularly Mr. Phillips (who is a very scoundrell) abusing and askeing Major Royall (even before H.E.) where's the result of all your scandalous depositions since the Generall has given us a pardon, and Capt. Lyle (Commander of H.M.S. *Diamond*) who joyned with the faction imediately after his arrivall to this station, drew his sword and shakeing it over Mr. French calling him severall times rascall and villaine and tho' he made his application to the Generall, he tooke no notice of it, only excused it by his being in drink, and notwithstanding the Generall saw the consequences of his generall pardon, yett he (the next day) issued out a proclamation, declareing that whoever should call any of those gents. either rebells or murtherers, or should inveigh or use any language tending that way, the offender should suffer thirty dayes imprisonment and £20 fine to be imediately levyed on his goods and chattles, and if none his body to be kept in close custody till found or paid, which none but such truly loyall subjects and hearty well wishers to H.M. as wee are could beare. If the tenure of our Government is such that wee must be bought and sold as the Generall for the time being shall think fitt, itt being generally granted to some nobleman and he farms it out to the Lord knows who, I can't see but there will be a great deale of male administration, to prevent which (if H.M. wont take some care of us) will remove to some more auspicious part of H.M. Government. By the Statutes of England, if a man kill another in what wee call a fair duell, yett he shall stand ye judgment of his peers, and its ods if doth not suffer death, much more do I wonder that H.M. Generall should (after a rebellious manner) be invaded in his own house, and there with H.M. soldyers barbarously murthered, yett receive the benefit of a pardon before conviction, *etc.* *Quotes Coke.* We have not only laboured under the difficultyes of anarchiall power (the scum of the people getting into the Assembly) but under the miserys of a severe drowth, the just judgments of an angry God, whereby a great many people were reduced to sad extremities, and our trade being quite ruin'd, which no doubt is oweing to the late Rebellion, and the villanye of the Surveyor Generall of H.M. Customes, Mr. Edward Perrye, who takes all designing measures to entrapp the unthinking master of the merchants shipp, bring him under a seizure, which proceedings has almost scared away all trade from this Island. I am heartily sorry that wee the Loyalists should have any occasion to complaine of the administration of

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H.M. Generall when we have hitherto supported (to our power) H.M. authority in this Collonye, but it's naturall for the aggrieved to complaine. Wee neither desire riches nor honour of H.M., but on the contrary only justice and destinction in him of which wee daily meet with insults and affronts, and if wee apply ourselves to H.E. wee can have no redress but huggs the rebells and makes them his bosome freinds, giveing credence to all rascally storyes and base insinuations and never will produce his authority, whereby wee are entirely robbed of all measures for our justification, and threatens us with irons or to fight us, which if he did not know wee dare not doe he would not be so forward, he's a man of so little honour that he forfeits his word daily with us. After his arrivall he encouraged us to prosecute those gents., but wee have since found that it was only to informe himselfe, who were the principles that he might make his advantage, which he did so much to our disadvantage that he even discovered the most secrett of our counccills and advice to them, leaveing us a marke to their envy and villanye. There's one of his noblest actions I had like to have forgott, that is, after all his fair promises of freindshipp to our Lt. Governor Yeamans, he while he was att Leward promised to suspend him and give his comission to Govr. Pearne of Mountserratt, but not dareing to doe so barefaced an injustice, he used all his endeavours to collect what depositions he could against him, but before he could obtaine them, Col. Pearne sent him word he was a man of no honour. Some of the rebells who were of the Cabinet Council in this affaيرة (it's thought it's Col. Watkins, who murdered a man under a table before he was concerned in the late murther) asking some of their party if they could not sweare something against the Govr. and receiveing but a faint answer, asked them farther if they could not blasphemme, for that perjury was but blasphemy which God would easily forgive. If any such villanous depositions should come home, I doubt not but the Court of England will take particular notice of them, tho' in the meane time I beleive the Governour will be suspended, which if he is there can be no greater misfortune befall this unhappy Island, he being knowrie to be a gent. of integrity, justice, clemencye and knowledge in the Laws, our very foundation being entirely oweing to him *etc.* The Genll. to frighten the people into a compliayce gave out that he would encamp up and downe the country and burne and destroy all their houses, canes *etc.* which had its desired effect, so that they freely gave him their money, bonds, plate *etc.*, as I have already mentioned, and Mr. Edward Chester junr., he made him pay £300 sterl. for selling that quantity of cuttlasses to the rebells in order to arme their negroes, which he said was levying warr against the Queen, and among all the rest of his presents, he condescended to take a cow from Clem the Butcher, who was the villaine that broke our late Generall's back after he was wounded, *etc.* Signed, John Wickham. *Endorsed*, Recd. (from Mr. Perry) June 6, 1712. 2 closely written pp. [C.O. 152, 9. No. 119; and 153, 11. pp. 473-483.]

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March 21. **356.** Mr. Secretary St. John to the Council of Trade and Plantations. *Encloses following*, in order that a copy of the letter therein mentioned may be laid before the House. *Signed*, H. St. John. *Endorsed*, Recd. 21st, Read 24th March, 17 $\frac{1}{2}$. 1 p. *Enclosed*,

356. i. Order of the House of Commons that an Address be presented to H.M. that she will direct an account to be laid before this House of the effective men in the regiment of Col. Francis Alexander, late Col. Jones's, in the Leeward Islands, for the two last years, and that a copy of a letter from the Governor of the Leeward Islands to the Council of Trade and Plantations relating to the same be also laid before the House. *Signed*, Paul Jodrell. Cl. Dom. Com. *Copy*. 1 p. [C.O. 152, 9. Nos. 107, 107 i.; and 153, 11. pp. 450, 451.]

March 22.
Whitehall.

357. Mr. Secretary St. John to the Council of Trade and Plantations. *Encloses following*. *Signed*, H. St. John. *Endorsed*, Recd. Read 24th March, 1712. 1 p. *Enclosed*,

357. i. Address of the House of Commons to the Queen, with H.M. order that the Address from Jamaica in June last relating to the trade to Africa may be laid before the House. *Signed*, Paul Jodrell. Cl. Dom. Com. 1 p. [C.O. 388, 15. Nos. 49, 49 i.; and 389, 22. pp. 478, 479.]

March 25.

358. Petty Expenses of the Board of Trade Dec. 25, 1711—March 25, 1712. Total £29 12s. 7d. Stationer's account, £18 19s. 4d. Postage, £3 16s. 7d. 4 pp. [C.O. 388, 76. Nos. 129–131; and 389, 37. pp. 38, 39.]

March 25.

359. Col. Nicholson's Memoranda for the Earl of Dartmouth. (i.) That H.M. send an order to Governor Hunter to summon as many of the principal Indians of the Five Nations, and present Mr. Andrews the Missionary to them, acquainting them that he is sent by H.M. according to their request. (ii.) That the belt of wampoon they sent by me, H.M. graciously accepted. (iii.) That care will be taken by the Society [*for propagating the Gospel*] to send another missionary the next year, to officiate in the other chapel which shall be built in ye Onodawgus' country. (iv.) That Govr. Hunter make a present in such manner as he shall think fit to ye Indians, who upon this occasion shall come to him, out of those presents sent the last year, (v.), and order one of the best interpreters to go and be with Mr. Andrews. That he appoint such officers and number of soldiers as he shall think proper for the guard of the Fort. (vi.) That H.M. give communion plate, linnen, surplice, furniture for the pulpits and reading desks in the two chapels etc. His Grace of Canterbury told me he would lay out 20 guineas for those uses. (vii.) That H.M. give her Royal Arms, such as are usually put up in churches, painted on canvas to be set up in the Chapels, and six more to be set up in the chief castles of the Six Nations, as likewise a quantity

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of H.M. effigies, and of her Royal Arms, in print to be distributed among the Indians. (viii.) That H.M. signify to the Indians, the continuance of her royal favour and protection, and of her being very well satisfied with their zeal and forwardness the last summer. (ix.) There is in the hands of Mr. Micajah Perry, mercht. in London, £130 towards the charge of building the Fort, chapels, etc. *Signed*, Fr. Nicholson. 1 p. [C.O. 5, 9. No. 106.]

[March 27.] **360.** Col. Richard Scott to the Council of Trade and Plantations. Formerly a member of the Council of Barbados where his estate is very considerable, petitioner came to England for his health in 1703, having H.M. licence therefor, which expired some years since. Being now bound thither, *prays* for a mandamus that he be restored to his place and precedence in the Council upon the first vacancy. *Endorsed*, Recd. Read March 27, 1712. $\frac{1}{2}$ p. [C.O. 28, 13. No. 85; and 29, 12. pp. 410, 411.]

March 27. **361.** The Earl of Dartmouth to Governor Hunter. The Whitehall. Society for the propagation of the Gospel in Foreign parts, having come to several resolutions in order to answer the great design of their establishment, as you will see by the enclosed minutes which have been laid before the Queen by my Lord Archbishop of Canterbury, H.M. highly approves of what is therein proposed, and as she has already given directions for providing the plate and other things desired of Her, she is willing to do everything else on Her part that may contribute to so good an end, you will therefore summon as many of the principal Indians of the five Nations as you shall think proper, and acquaint them, that H.M. has, in compliance with their request sent Mr. Andrews as a missionary to instruct them in the principles of the Christian religion, that he will be followed very soon by another person of the same character, and that H.M. will, on all occasions, give those people continual marks of Her royal favour and protection. The Indians having sent H.M. a belt of wampoon, you are to lett them know that she has kindly accepted it, and at the same time you will make a present to such of them as shall come to you, out of those things which were sent you last year, and assure them of H.M. satisfaction in the zeal they shewed for Her service in the last summer's expedition. When the Fort is built, you will send such a number of soldiers thither as you shall think necessary for its security, and appoint a good interpreter to attend the Missionary. As the quiet and repose of H.M. subjects under your Government seem in a great measure to depend upon a good understanding with those Indians, I do not doubt but you will take the best care you can to cultivate a friendship with them. *Signed*, Dartmouth. *Annexed*,

361. i. Duplicate of No. 359.

361. ii. Duplicate of C.S.P. 1710. No. 210. [C.O. 324, 32. pp. 136-141.]

March 28. **362.** The Earl of Dartmouth to Governor Douglas. I have Whitehall. received the favour of yours of Nov. 28th, and am glad to find

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you have so far quieted the minds of the people, and taken such prudent measures by the regulations you have made, as not to be under any apprehensions that the publick peace may be disturbed. Whenever you think it for the advantage of the service that any alterations should be made in the Councill, or promotion among the officers, H.M. thinks fit that you should send hither their names, and the reason upon which your opinion is grounded : H.M. will then order her pleasure to be signified concerning them, being determined for the future, not to confirm any changes that are made, without her previous approbation. The other particulars of your letter are under consideration, *etc.* *Signed*, Dartmouth. *Endorsed*, Recd. Read Nov. 21, 1712. *Copy*. 1 p. [C.O. 152, 9. No. 139 ; and 153, 12. pp. 44, 45 ; and 324, 32. p. 141.]

April $\frac{1}{12}$. Petersburg. **363.** Mr. Whitworth, Ambassador to the Czar of Muscovy, to the Council of Trade and Plantations. Encloses following. *Signed*, C. Whitworth. *Endorsed*, Recd. 12th, Read 13th May, 1712. 1 p. *Enclosed*,

363. i. The method of preparing tar in Muscovy. 2 pp. [C.O. 5, 1050. Nos. 40, 40 i. ; and 5, 1122. pp. 496-499.]

April 2. Whitehall. **364.** Wm. Popple to Josiah Burchet. Encloses "the usual heads of inquiry and additional Instructions for the Commodore of the Newfoundland squadron," *etc.* [C.O. 195, 5. p. 265.]

April 2. Whitehall. **365.** Mr. Secretary St. John to the Council of Trade and Plantations. H.M. commands you to take into consideration and transmit to me your opinion upon the two following points. (i.) What the consequence may be of allowing the French a general right to fish and to dry their fish in the sea of Newfoundland, and on that coast, as they have hitherto done, together with a liberty of settling and fortifying on the Island of Cape Breton ; they on the other hand making an absolute cession to H.M. of Nova Scotia with Annapolis Royal, and of the Island of Newfoundland with Placentia. (ii.) Whether it may be for the advantage of Great Britain, Nova Scotia and Annapolis Royal remaining in H.M. hands, that all the fortifications in Newfoundland be demolished, and that no others be suffered to be erected there, or in any of the adjacent Islands. Your Lops. will please to let me have your answer as soon as possible, it being necessary to write abroad upon this subject at the end of the week. *Signed*, H. St. John. *Endorsed*, Recd. 3rd, Read 4th April, 1712. $1\frac{3}{4}$ pp. [C.O. 194, 5. No. 10 ; and 195, 5. pp. 265, 266.]

April 2. Whitehall. **366.** Council of Trade and Plantations to the Lord High Treasurer. Request payment of enclosed account of office expenses and salaries, Christmas 1711 to Lady Day 1712. [C.O. 389, 37. pp. 39-41.]

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April 2.
Whitehall.

367. Council of Trade and Plantations to the Lord High Treasurer. This Commission is in arrear $2\frac{1}{2}$ years at Lady Day last, which wee are informed is not the case of any other Commission or Office depending on the Civil list, and in regard the nature of the buissiness requires a constant attendance and application, wee submit the case of the said arrear to your Lordship's favourable consideration. [*C.O.* 389, 37. *p.* 42.]

April 3.
St. James's.

368. Order of Queen in Council The Council of Trade and Plantations are to lay before the House of Commons their Representation (*v.* C.S.P. Dec. 1711) as to the distribution of the grant in aid of Nevis and St. Christophers, and the petition of the agents for the sufferers there (*enclosed*) (*v.* A.P.C. II. No. 1069). *Signed*, Christo. Musgrave. *Endorsed*, Recd. 9th, Read 10th April, 1712. 1 *p.* *Enclosed*,

368. i. Petition of Joseph Martin, Rowland Tryon, Richd. Merryweather, Stephen Duport and James Campbell, Agents for the sufferers in Nevis and St. Christophers, to the Queen. By an Act passed the last sessions £103,003 11s. 4d. was granted for the relief of such sufferers as have resettled, or shall resettle their Plantations. The Council of Trade acquaint petitioners that the Act needs some explanation before they can make any distribution (*v.* Dec. 1711). Many of the sufferers have been hitherto supported on credit founded on the hopes of this bounty, and others are now returned, or returning, upon the faith of that Act. But unless some assurance can be given them by the Fleet, which is now upon departure, that the said bounty will speedily be made effectual, it's to be feared that great numbers of them, will be yet forced to leave the Islands; and the enemy (who well know the consequence of those Islands to your Majesty's revenue and the trade of your Kingdom) will not fail then to improve such an advantage. *Pray* that the report of the Council of Trade may be now laid before the House of Commons for explanation and recommended for dispatch. *Copy.* $2\frac{1}{2}$ *pp.* [*C.O.* 152, 9. *Nos.* 109, 109 i.; and 153, 11. *pp.* 453-455.]

April 3.
London.

369. Laurence Galdy to the Council of Trade and Plantations. Recommends Col. Ezeckiel Gomersall for the Council of Jamaica. *Signed*, Laurence Galdy. *Endorsed*, Recd. 3rd, Read 9th April, 1712. 2 *pp.* [*C.O.* 137, 9. No. 64.]

April 4.

370. Copy of Journal of the Council of Trade and Plantations, concerning Newfoundland. $6\frac{1}{4}$ *pp.* [*C.O.* 194, 23. No. 5.]

[April 4.]

371. Capt. Moody's report upon the questions concerning Newfoundland, April 2nd. *Agrees with Representation of April 5th.* *Signed*, J. Moody. *Endorsed*, Recd. Read April 4, 1712. 2 *pp.* [*C.O.* 194, 5. No. 11.]

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April 5.
Jamaica.

372. Governor Lord A. Hamilton to the Earl of Dartmouth. *Recommends*, Mr. Brodrick, Attorney General and Speaker of the Assembly, to be appointed to the Council, *etc.* *Signed*, A. Hamilton. *Holograph.* 3 pp. [C.O. 137, 51. No. 59.]

April 5.

373. Solomon Merrett to the Council of Trade and Plantations. Report upon the questions relating to Newfoundland, April 2. Agrees with following Representation. *Signed*, Solomon Merrett. $1\frac{3}{4}$ pp. *Enclosed*,

373. i. Considerations in favour of the whole of Newfoundland, Nova Scotia, and the Fishery on the Banks and coasts being restored to Great Britain. *Concludes* :— By the Treaty of commerce we should have the same liberty to supply France paying the same customs and dutys as under King Charles I. The laying on a duty of 5s. a ton on the French shipping which came into England (which was not $\frac{1}{50}$ th of what went from England to France) occasioned them to lay the same duty on ours, was a great discouridgment to our fishing ships and all others trading to France. And it's most humbly offered that if from the date of the Preliminaries or Articles of Peace, a cessation of hostilities be agreed on, that all ships and goods taken by us or the enemy shall be restored to the proprietors in the same condition they were when taken, it will prevent the fitting out of privateers, and the taking of many merchant ships, especially those from the West Indies, and long voyages. For the merchants the last peace suffered very much, as the Articles of Reswick gave such large liberty to privateers by making peace at several times and in several latitudes, whereby they were incouridged to send out their privateers, which took more merchants ships within two months before and after the date of that Peace, than in nine months before, *etc.* $1\frac{1}{2}$ pp. *The whole endorsed*, April 5, 1712. [C.O. 194, 5. Nos. 12, 12 i.]

April 5.
Whitehall.

374. Council of Trade and Plantations to Mr. Secretary St. John. *Reply to queries of April 2.* We take leave to represent if the French make a cession of Newfoundland and Isles adjacent, and yet reserve the privilege of fishing on that coast, and drying on the shore, they will thereby have the same advantage in the trade of dry fish as H.M. subjects, and the good end of our having Newfoundland restor'd to us will be defeated. As to their settling and fortifying on the Island Cape Breton, that Island has always been esteem'd as part of Nova Scotia and included in that Governmt., and considering the situation of that Island, the permitting them to fortify and settle there will give them the like advantages as if they were allow'd to dry their fish on Newfoundland or the adjacent islands. And here we take leave to observe that Nova Scotia does comprehend all that the French call Aecadie, and is bounded by the River St. Croix on the west

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by the sea on the south and east, and by Canada River on the north and ought to be so describ'd for avoiding future disputes. We apprehend it may be necessary to maintain the fortifications now on Newfdland for the protection of our fishery, and the persons concern'd therein and their effects. [*C.O.* 195, 5. *pp.* 267-269.]

April 8.
New England,
Boston.

375. Governor Dudley to the Council of Trade and Plantations. My last addresses to your Lordships were of Nov. last past by Capt. Studley in the *Norwich* the convoy of the mast fleet wherein were cover'd the years papers (v. Dec. 21st, 1711). *Acknowledges* letter of Oct. 26. *Continues*:—The duplicate arriv'd the 24th March past, and the letter two dayes since. In obedience to the severall articles therein, I must humbly acquaint your Lordships that the revenue of both the Provinces, consists of an impost for goods and merchandise brought in, an excise upon taverns and retaylers of wine, and liquors, and a land and poll tax lay'd once a year and collected accordingly, and it is not possible to divide it so as to make two accounts of it, either to discharge the Treasurer or to pay up the Province debts, so as to make it compleat, but in the session of the Assembly, in May annually, which session is directed by the Charter. The Treasurer for the time being, brings in all his accounts, and vouchers, and it is fairly drawn, and sworn to before the Governour, and Mr. Secretary Addington, Deputy Auditor to Mr. Blathwayt, and is so sent home to the Treasury, and has been well accepted. In all other affayres and informations to their Lordships at the Council of Trade at my first coming here, I pursued the methods of letters every six months and sent them by the best runners I could get passage by, but were frequently thrown overboard, as I had directed the commanders in case of their being taken, and was forced at last wholly to depend on the convoy of the mast fleet, which comes but once a year, and never yet miscarried. However if your Lordships see meet to command any other method, for the future I shall strictly obey it. *Encloses lists of officers, Courts, fees, and a copy of the laws as required.* Referring to births and burials, I have sent circular warrants, to the Shcriffs of the severall countyes, which are eight in number in the Massachusetts, and one in New Hampshire, which if not come to hand before this conveyance shall be carefully transmitted the first oppertunity. That your Lordships may understand the state of the defence of the Provinces, if your Lordships please to look upon the map of the survey of ye country, that I sent home some years since to the Board, it will be seen that from Deerfield in the west, to Wells in the east, is the frontier to the inland of both the Provinces in a range of villages, in this order, Deerfield, Hadley, Brookfield, Marlboro', Lancaster, Groton, Dunstable, Dracot, Haveril, Almsbury, Kingstown, Exeter, Cocheco, Barwick, York, Wells, contayning about 200 miles in length, in each of which I have 10 or 12 of the best houses, at distances, taken in with stoccadoes, and flanckers, in which are watches kept and 40 or 50 soldiers besides the inhabitants,

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lodged in them for the defence of each town, who march from town to town weekly winter and summer, to discover any track of an approaching enemy, and troopes of horse once a fortnight in the summer, and foot upon snowshoes in the winter to discover at a greater distance, which has been so fortunate as often to discover and repell the enemy when four or five times in this warr they have come in bodyes of 3 or 400 French and Indians, and often when lesser partyes, so as we have not lost or deserted one village since the first eruption nine years since, whereas in former warrs the Government has drawn in almost all the villiges, above named for want of the skill of snowshoes, which the people have gotten since my coming hither to the terror of Indians, our men being able to outmarch them, and in the winter I dislodge them at 100 miles distance, as I have done this winter, by marching partyes, two consisting of 50 each, and one party of 200, who came in the last week haveing burnt a settlement of Mounsier Castiens in the eastward near Panobscot, of 6 or 8 houses two sloops fitted and furnish'd for a cruise, and taken and burnt a great quantity of provisions laid up for their voyage, being to be mann'd with French and Indians. And in the summer (except these last two years wherein I have in obedience to H.M. commands, sent forces to Portroyal and towardis Quebeck) I have sent partyes of 3 or 400 men to cut up their corn while it was green, and made them remove to greater distances from us, to make it more difficult to trouble us, and to shew the Indians that tho' the French could perswade them into a warr, they were not able to defend or secure their settlements and places to them. This is the method of our inland service, and on the seabord we have the Castle at Boston, Forts at Salem, Marblehead and Newcastle, besides Saco and Casco, ancient tradeing houses to the eastward which I have fortified, and the *Province* gally and sloop, with forces cruising all the summer to prevent the taking of our coasters, and merchantmen from Europe, both which vessels have been built since my coming at the *Province* charge, and well equipt every year to a great expence, of all these articles the account is in the Book herewith inclosed. The clause requireing an account of the strength of the neighbour Governments is more difficult, but your Lordships will pardon my guess, yet upon a just muster such as I have now layd before your Lordships in these papers, I am of opinion Rhode Island has 2500 fighting men; Connecticut, 7000; New York, 6000. And in all other articles proportionable, with all of whom we have a coasting trade, for grain, bread, flower, beaf and pork, which we expend in our fishery, and carry to the West Indies. The trade of the *Province* consists of masts, and spars, for H.M. service, brought home in the mast fleet. Our returns for London by way of Lisbon for fish about 50,000 pound per annum. Directly home a great quantity of train oyle, tarr, and turpentine, which are much increased and better'd since I came hither, and would be perfectly a sufficient supply for Great Britain, if our men taken into the service for the defence of the Provinces, and expeditions, might be spared for that imploy, which will come to pass in peace.

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Ships and vessels built for sale in great Britain, and the West Indies to the numbers of 70 per annum. Ships belonging to the Provinces trading of three sorts. Above 100 tun, 20; between 50 and 100 tun, 60; below that rate trading to the West Indies, 120. Your Lordships' last article, referring to the number of inhabitants and number of fighting men, is perfectly set down, and accounted for in the inclosed papers, as justly as possibly, and will be I hope to your Lordships' satisfaction. Your Lordships' wisdom needs no intimation of mine to know how these Provinces may be made happy and secureable to H.M. I am humbly of opinion that the English settlements from Penna- quid to Delaware River, which never cost England above 10,000 souls to settle them, which tract is now divided into six severall Governments containyng in them 300,000 souls, and are dayly increaseing, and are a very industrious people as appears by a subdued and well built country, will stand in need of nothing to make them such as your Lordships would have them to bee, but a good defence against the incursions of the Indians and French by land from Quebeck, and then the peace and repose of these Provinces would make the trade of all sorts, five times what it is presently. Over all which if H.M. Government be justly mayntain'd, and the people and trade kept to a strict and constant dependance upon the Acts of Trade and Navigation, and put upon the linnen manufacture for which the country is extreemly proper, the mother will find her daughters increase her welth and honour to a very great degree. The Acts of Parliament referring to the preservation of white pines *etc.* was publish'd and reprinted and sent to every part of these Provinces for their information and obedience six months since, and the other for the incouragement of trade was now publish'd as your Lordships commanded. *Signed, J. Dudley. Endorsed, Recd. July 11th, 1712, Read July 6, 1713. 6 pp. Enclosed,*

375. i. (a) List of Officers in the Civil Government, Massachusetts Bay.

(b) List of Courts of Justice in the Massachusetts Bay. 1 p.

(c) List of fees exacted in the Massachusetts Bay. 5 pp.

(d) Account of the Treasury of the Massachusetts Bay, May, 1710-11. Tax on polls and estate real and personal

	£22689	4	7
Import duty	£3116	12	8
Tunnage and shipping	£516		
Excise	£666	15	6
Fines	£38	17	2

Total £27,027 9 11

The expence during the warr communibus annis has been little short of £30,000 per annum. The expence of the last year 1711 by reason of the advances for the great expedition will fall little short of £50,000. The poll and land tax is usually laid for betwixt two and three and

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twenty thousand pounds per annum, and that levied with no little difficulty, H.M. subjects of this Province being much impoverished and enfeebled by the heavy and almost insupportable charge of a long calamitous war which has chiefly lyen upon this Province, *etc. etc.* 1 p.

(e) Accompt of the Militia in the Massachusetts Bay, April, 1712. *Details of counties and regiments given.* Totals : 12,517. Adding 5 for 1 for women and children, total population—75,102. 5 pp.

(f) List of Forts in the Massachusetts Bay. 1 p.

(g) Soldiers in actual service for the defence of the Province, total : 634. 1 p.

(h) List of stores of war wanted for the Massachusetts Bay. 1 p.

(i) List of officers in the civil Government of New Hampshire. Fees as in the Massachusetts Bay. Revenue, Nov. 1710–11,—£1575 (excise, £45 ; impost £30 ; tax upon polls and estate of land and stock £1500. Militia, 1107. Population (adding 5 for 1 for women and children)—6,642. Fort at Newcastle. Births, 349 and 128 burials. Jan. 1st, 1710–11. 1 p. *The whole signed J. Dudley and endorsed,* Recd. July 11, 1711 (*sic*), Read July 6, 1713. [C.O. 5, 865. Nos. 92, 92 i. ; and (*without enclosures*) 5, 913. pp. 412–422.]

[April 8.] **376.** H.M. Warrant appointing Col. Richard Downes to St. James's. the first vacancy in the Council of Barbados. (v. C.S.P. 1704. Nos. 91, 126). *Countersigned,* Nottingham. *Endorsed,* Recd. (from Mr. Tryon) 8th, Read 14th April, 1712. *Copy.* 1 p. [C.O. 28, 13. No. 86 ; and 29, 12. pp. 411, 412.]

[April 8.] **377.** Order of Queen in Council, Dec. 18, 1707, restoring Tobias Frere to the Council of Barbados. *Endorsed,* Recd. 8th, Read 14th April, 1712. Recd. from Mr. Tryon. Duplicate of C.S.P. 1707. No. 1235. [C.O. 28, 13. No. 87 ; and 29, 12. pp. 412, 413.]

April 9. **378.** Governor Lowther to the Council of Trade and Plan- Barbados. tations. *Encloses* duplicates of March (? Feb. 18), 1712 and Dec. 20, 1711, and abstract of proceedings "which were had against Mr. Carter, as your Lordships will perceive by perusing the Minutes of Council herewith sent. The power of suspending practitioners in the law hath been frequently practiced by my predecessors, and never any complaint was made of it, nor any fault found with it," *etc.* (v. Feb. 18). *Besides appearing against the Queen when he was Solicitor General,* he did all he could to infuse jealousies and discontentes amongst the people, in order to disturb the Government and to provoke the people to clamour against everything that was done : whereas the faultes for which the other gentlemen were suspended, were only of a private nature, *etc.* I am sensible that the Queen is full of clemency and

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mercy, and therefore some small time after I had done my duty in resenting Mr. Carter's ill-treatment of H.M., I gave him to understand that I would take off his suspension, provided he would make his submission, and acknowledge his fault, but he hath not yet thought fit to do it, and I understand he hath complained home of the proceeding, and hopes to be rewarded, instead of punished for what he hath done *etc.* *Refers to case of the Oxford* (v. Feb. 18). It is necessary upon this occasion to inform your Lordships that quantities of tallow and counterband goods are frequently imported here and no entries made thereof in the Custome House : it is generally believed, and with good reason, that the said goods are imported by ships that come from Ireland, however prejudicial this may be to the interest of Great Britain, yet I hold it impossible to prevent it, if ships are suffered to break bulk before they produce there manifestes, certificates, and clearance bills in the manner as the law requires, nor, so long as the chief officers of the Customes, and Admiralty here, are merchantes. If your Lordships shall be of opinion that I have acted too rigidly in the affair of the ship *Oxford*, I hope you will not only impute it to the strictness of my Instructions, and the Law, but that you will direct me how to govern myself in the like cases for the future ; for it is not an easy matter to pursue my Instructions, and at the same time prevent the merchantes from clamouring, because in several cases, the interest of the Queen, and that of the merchants do interfere, which happens as often as they trade illegally or make any innovations upon the Actes of Trade. The causes and reasons of Mr. Skeene's suspension are mentioned in the Address which the Council and General Assembly presented me upon that occasion, *etc.* I humbly beg leave to refer you to the said Address : but I humbly hope that your Lordships will be of opinion that it's highly reasonable that I should have the nomination of my own Secretary, and that the person which I pitch upon should have the ancient fees and perquisites that did always belong to those that were Secretaries to my predecessors. *Acknowledges letters* of Oct. 26 and Nov. 22. I have already given directions to have the account prepared, which your Lordships mention, *etc.* This step will alarm the people that have offices and places, and make them confederate and clamour against me : for both the merchantes, patentees, ministers, and other officers, are jealous, that such an enquiry tendes, either to make some regulations to their disadvantage, or to displace some of them, *etc.* *Signed*, Rob. Lowther. *Endorsed*, Recd. May 24, 1712, Read July 17, 1713. *Holograph*. 4 pp. *Enclosed*,

378. i. Abstract of proceedings in the Council of Barbados against Mr. Carter, Solicitor General, Jan. 22, 1712, suspending him for appearing against the Queen in the case of the *Oxford*, *etc.* *Same endorsement*. 2 pp.

378. ii. Abstract of Naval Officer's List of ships entered and cleared at Barbados June 25—Dec. 25, 1711. *Number of ships*, England, 49 ; Plantations, 77. *White sugar* ; England, 108 hhds., 251 tierces, barrels 34. *Muscovado*

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- sugar ; England, 9820 hhds., 970 tierces, 788 barrels ; Plantations, 12 hhds., 103 tierces, 219 barrels. *Rum* ; England, 1 hhd., 3 tierces ; Plantations, 1110 hhds., 654 tierces, 434 barrels. *Molosses* ; England, 22 hhds., Plantations, 224 hhds., 44 tierces, 28 barrels. *Lime juice* ; England, 18 hhds., 9 tierces, 15 barrels ; Plantations, 2 tierces, 21 barrels. *Cotton* ; England, 541 bags ; Plantations, 92 bags. *Ginger* ; 3717 bags ; Plantations, 13. *Alloes* ; England, 264 goards. *Same endorsement.* 1 p.
378. iii. Case of the ship *Oxford*. *Duplicate of No. 318 iv.*
378. iv. 31 Depositions relating to the *Oxford*. *Endorsed*, Reed. May 24, 1712. 58 pp.
378. v. Certificate that enclosed papers are true copies. *Signed*, Rob. Lowther. $\frac{3}{4}$ p.
378. vi.-viii. Copy of Minutes of Council and Assembly of Barbados Jan. 22. *Duplicates of Nos. 318 vi.-viii.*
378. ix. Copy of proceedings of a Court of Chancery held in Barbados, Aug. 8, 1711—April 5, 1712. 11 pp.
378. x. List of causes undetermined in the Court of Chancery, Barbados. *Endorsed*, Reed. May 24, 1712, Read 17th July, 1713. $1\frac{1}{2}$ pp.
378. xi. List of French prizes (18) taken and brought into Carlisle Bay, July, 1711—March, 1712. *Same endorsement.* $1\frac{1}{2}$ pp.
378. xii. Copies of orders given by Governor Lowther to the Captains of the men of war, June 28, 1711—Feb. 23, 1712. *Duplicate of Aug. 29, 1712.* No. 1.
378. xiii. Copy of Minutes of Council of Barbados, May 12, 1709, relating to the Secretary. *Endorsed*, Reed. May 24, 1712, Read July 17, 1713. $2\frac{1}{4}$ pp.
378. xiv. List of French prisoners of war at Barbados. *Same endorsement.* 3 pp.
378. xv. Copy of Address of the General Assembly of Barbados to Governor Lowther, Oct. 29, 1711, resenting a letter addressed by some of the clergy to Mr. Cleland asking him to obtain redress for the neglect and insufficient endowment of the Church, etc. *Same endorsement.* $1\frac{1}{2}$ pp.
378. xvi. Copy of the oath taken by H.M. Solicitor General in Barbados. *Same endorsement.* $\frac{1}{2}$ p.
378. xvii. Copy of a manifest of the loading of the *Oxford* delivered to the Governor of Barbados by Robert Addison. *Signed*, Robt. Addison. *Same endorsement.* 1 p.
378. xviii. Copy of clearance bill of the *Oxford* from Port Kinsale. *Same endorsement.* 1 p.
378. xix. Copy of Governor Lowther's order for seizing the *Oxford*, Nov. 21, 1711. *Same endorsement.* $\frac{3}{4}$ p.
378. xx. Extract from the Custom house books at Barbados relating to the *Oxford*. *Signed*, John Lane, Collr. *Same endorsement.* 1 p.

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378. xxi., xxii. Copies of a bond and memorandum proposed to have been entered into by the Commander and Consignee of the *Oxford*. (*Duplicate No. 318 v.*) *Same endorsement.* 6 pp.
378. xxiii. Copy of petition of Robert Knowles, master of the *Oxford*, to Governor Lowther that a libel be exhibited on her seizure, so that he may be enabled to proceed on his voyage. *Signed*, Robt. Knowles. Received on Dec. 27, and ordered that a libel be forthwith exhibited. *Same endorsement.* 1 p.
378. xxiv. Copy of petition of Robert Addison, to be admitted a party in vindication of the *Oxford*. *Same endorsement.* 1 $\frac{1}{4}$ pp.
378. xxv. Copy of libel exhibited by Wm. Bindloss, purser of H.M.S. *Experiment*, against the *Oxford*. *Same endorsement.* 4 $\frac{1}{2}$ large pp.
378. xxvi. Petition of William Bindloss that Mr. Addison (xxiv:) may not be admitted a party. *Same endorsement.* 3 pp.
378. xxvii. (a) Petition of William Bindloss, praying that Mr. Addison may be examined to interrogatories relating to the *Oxford*. (b) The Judge of the Admiralty's decision dismissing above petition Jan. 14, 17 $\frac{1}{2}$. *Same endorsement.* 2 $\frac{1}{2}$ pp.
378. xxviii. Reply of Robert Knowles and Robert Addison to the libel of Wm. Bindloss (xxv.). *Signed*, Richard Carter, James Cowse, Jan. 7, 1712. *Same endorsement.* 5 pp.
378. xxix. Reply of Robert Knowles to No. xxv. *Same endorsement.* 2 pp.
378. xxx. Exceptions taken by William Bindloss to Knowles' reply (No. xxix.). *Same endorsement.* 3 $\frac{1}{2}$ pp.
378. xxxi. Copy of the report of the Register of the Court of Admiralty upon the libel, answer, and exceptions (Nos. xxv., xxviii., xxix., xxx.) in the case of the *Oxford*. Jan. 18, 1712. *Signed*, Stephen Alexander. *Same endorsement.* 5 pp.
378. xxxii. Copy of further reply of Robert Knowles and Robert Addison (Jan. 21, 1711). *Signed and endorsed as No. xxviii.*
378. xxxiii. Copy of exceptions taken by William Bindloss to preceding. Jan. 26, 17 $\frac{1}{2}$. *Endorsed*, Recd. May 24, 1712, Read July 17, 1713. 2 $\frac{1}{2}$ pp.
378. xxxiv. Copy of answer of Robert Knowles and Robert Addison to preceding. *Signed*, James Cowse. *Same endorsement.* 6 $\frac{3}{4}$ pp.
378. xxxv. Interrogatories to be put to witnesses in the case of the *Oxford*. *Same endorsement.* 4 pp.
378. xxxvi. Petition of Robert Knowles and Robert Addison to Dudley Woodbridge, Judge of the Admiralty, praying him to dismiss Mr. Bindloss' libel, on the ground that he was taking no steps to examine witnesses, etc. Feb.

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8, 17 $\frac{1}{2}$. *Dismissed*, on the grounds that the examination has begun. Feb. 9, 17 $\frac{1}{2}$. *Same endorsement. Copy. 2 $\frac{1}{4}$ pp.*

378. xxxvii. (a) Copy of petition of Robert Knowles and Robert Addison to Dudley Woodbridge, Judge of the Admiralty, that they be allowed to sail with the *Oxford* upon giving security to answer the award of the Court. *Signed*, James Cowse. Feb. 16, 17 $\frac{1}{2}$.

(b) Copy of Judge of the Admiralty's order for an appraisement of the *Oxford*, Feb. 20, 17 $\frac{1}{2}$, prior to deciding above petition. *Same endorsement. 2 $\frac{1}{2}$ pp.*

378. xxxviii. Copy of petition of William Bindloss that the *Oxford* may not be admitted to sail before a hearing. *Same endorsement. 3 pp.*

378. xxxix. Copy of protest entered by William Bindloss against the order of appraisement, xxxvii. (b). *Same endorsement. 1 p.*

378. xl. Copy of a petition of Robert Knowles and Robert Addison praying a short day for the hearing of the libel exhibited against the *Oxford* (xxv.). *Signed*, James Cowse, William Walker. Order that the case be heard on March 8. *Same endorsement. 2 $\frac{1}{4}$ pp.*

378. xli. Petition of William Bindloss that time be allowed him to examine witnesses, Feb. 29, 1712. *Same endorsement. 5 $\frac{1}{2}$ pp.*

378. xlii. Petition of William Bindloss that further time be allowed him to examine witnesses, *etc.* Hearing of case (v. No. xl.) deferred till March 10. *Same endorsement. 2 pp.* [*C.O.* 28, 13. Nos. 104, 104 i.-xlii.; and (*without enclosures*) 29, 13. pp. 32-46; and (*duplicates of Nos. xi., xii.*) 28, 43. Nos. 55, 77.]

April 10. **379.** Commission and Instructions appointing Francis Brooke Surveyor General of North Carolina. [*C.O.* 5, 290. p. 56.]

April 12. Barbados. **380.** Col. Lilly to [*? the Earl of Dartmouth*]. Refers to letter of Feb. 18. I presume my instructions from the Board of Ordinance, 1704, to keep my station at Barbados, remain in force, *etc.* *Signed*, Chrn. Lilly. 1 p. *Enclosed*,

380. i. Extract from Col. Lilly's Journal of his visit to Newfoundland, Nov. 12, 1711. Recommends the building of a fort on N.W. part of Ferryland Head, *etc.* *Signed*, Chrn. Lilly. 2 $\frac{1}{2}$ pp.

380. ii. Duplicate of No. 317. [*C.O.* 28, 43. Nos. 75, 75 i., 76.]

[April 14.] **381.** H.M. Warrant for admitting Charles Long to the Council of Jamaica upon the first vacancy, Feb. 18, 170 $\frac{3}{4}$. (v. C.S.O. 1704, Nos. 79, 107). *Countersigned*, Nottingham. *Endorsed*, Recd. from Mr. Tryon 8th, Read 14th April, 1712. *Copy. 1 p.* [*C.O.* 137, 9. No. 65.]

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April 15.
Whitehall.

382. The Earl of Dartmouth to the Council of Trade and Plantations. Encloses following for their report. *Signed*, Dartmouth. *Endorsed*, Recd. Read April 16, 1712. 1 p. *Enclosed*,

382. i. Extract of letter from Lt. Governor Spotswood to Lord Dartmouth, Feb. 8, 1711. I am taking all necessary precautions for securing the country against the Indians, and by the voluntary offers of several gentlemen of the Council to advance money on the credit of the revenue for making good the treaty with the Tuscoruro Indians, I hope to keep that nation in our interest, and by that means put a speedy end to the present danger, unless the French (who 'tis said now trade with Indians not very remote) should find means to unite their Indians with those concern'd in the late massacre and furnish them with arms and ammunition to attack us. This is the more to be feared, because I have advice from persons who have lived amongst the Indians that the Seneca's (a numerous people) have of late been very industrious to unite all the scattered body's of Indians on the frontiers of this and the neighbouring Governments, and seem more particularly provoked against us on account of one of their kings being killed some time ago by an inhabitant of this Colony as he was hunting. If they should for this prosecute a revenge, such a combination of all our neighbouring Indians might put our frontiers in a very unhappy condition, considering how ill we are provided to encounter an enemy, that is no otherwise to be reduced but by a continual pursuit through the woods and deserts, a fatigue which our people will never be able to endure without the conveniency of tents to secure them from the weather. I therefore humbly offer to your Lordps'. consideration to move H.M. for a supply out of the Tower of about 300 soldiers' tents, some small arms and powder, with two brass three pounders mounted on feild carriages for an expedition; such a supply would be of the greatest service, if we should be reduced to a necessity of pursuing the Indians, or of attacking them in their forts and without which it will be extremely difficult to free ourselves effectually from the invasions of that enemy. 2 pp. [*C.O.* 5, 1316. *Nos.* 79, 79 i.; and 5, 1363. pp. 397-399.]

April 16.
Whitehall.

383. Council of Trade and Plantations to the Earl of Dartmouth. *Reply to preceding.* We are humbly of opinion, for the reasons mentioned Dec. 6th, that considering the present circumstances of Virginia, their inability of supplying themselves, and the apprehensions Col. Spotswood is under of an Indian war, which if it should happen, might be of very ill consequence to that Colony and the tobacco-trade, it is necessary for H.M. service that Col. Spotswood be supply'd with powder and small arms, as also with 300 tents, as he now desires, without which we

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do not think it practicable for him either to repell or pursue the Indians in case of any attempt. [*C.O.* 5, 1363. *p.* 400; and 5, 1335. *No.* 170; and 5, 1341. *No.* 19.]

April 17.
St. James's.

384. Order of Queen in Council. Referring to the Council of Trade and Plantations the following for their report. *Signed*, Christo. Musgrave. *Endorsed*, Recd. 6th, Read 9th May, 1712. 1 *p.* *Enclosed*,

384. i. Petition of Elizabeth, widow of Jordain Salenave, to the Queen. *Prays* to be allowed possession of the plantation in St. Kitts as granted to her Feb. 2, 1692 (3). (*v.* *C.S.P.* 1693. *No.* 49, and *A.P.C.* II. *No.* 489.) *Copy.* 2 *pp.*

384. ii. Copy of Order of King in Council Feb. 2, 1692. (*C.S.P.* 1693. *No.* 49.) [*C.O.* 152, 9. *Nos.* 115, 115 i., ii.; and 153, 11. *pp.* 465—468.]

[April 18.]

385. Col. Nicholson to the Council of Trade and Plantations. It is proposed that if Canada must remain in the possession of the French King, that the bounds of it be from the mouth of the River St. Laurence south-west as far as Mont Real, and from thence to go on in a westerly line to the sea, and that all that part of the Continent wch. lies on the north of the river be reckon'd into the bounds of Canada, Hudson's Bay with the English settlements therein included, and in lieu of this cession on the part of Great Britain, the French to be obliged never to come beyond 20 miles on the south of the said River of Canada, and that distance to be settled as their southern bounds, provided at the same time that they are at the mouth of the said River to keep 20 miles distant from the River and Bay of Gaspes. And for a satisfaction to the Hudson's Bay Company it is propos'd that the Queen shall give them all the Islands and terra firma lying between Cape Roziers of the River of St. Laurence and Cape Bretton Island, which will be an abundant recompence to ye company for what they part with in Hudson's Bay, not only because they will here find the same furr trade they had there, and a fishery with naval stores into the bargain, but because their settlements in Hudson's Bay are so far North that ships can't come to 'em above 3 or 4 months in ye year, and the Canadians having got their Indians from 'em will beat 'em out of that trade entirely. This will likewise be a service to ye Crown, as it is a strengthening to ye Colonies on the Continent, and will be so to what shall be settled in the Bay of Fundee, whereas their present settlements are of no use in that respect at all. *Signed*, Fr. Nicholson. *Endorsed*, Recd. 18th, Read 22nd April, 1712. 1 *p.* [*C.O.* 5, 865. *No.* 79; and 5, 913. *pp.* 373, 374.]

April 20.
Whitehall.

386. Mr. Hare to Mr. Popple. Mr. Secretary St. John having some matters to discourse ye Lords Commrs. of Trade upon which will compose ye dispatches of ye next post, designs to be with their Lordships on Tuesday, *etc.* Mr. Secretary thinks it may be proper that Mr. Nicholson, and such of the

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merchants trading to New England, and concerned in the fishery there as ye Lds. of Trade shall think convenient, should attend att ye same time. *Signed*, J. Hare. *Endorsed*, Reed. 20th, Read 21st April, 1712. $1\frac{1}{2}$ pp. [C.O. 5, 865. No. 78; and 5, 913. p. 372.]

April 22.
Whitehall.

387. The Earl of Dartmouth to the Council of Trade and Plantations. Upon my laying before H.M. Mr. Spotswood's letter of Feb. 18 *etc.* (v. April 15 and 16), H.M. has commanded me to acquaint you that she has been informed great abuses have been committed in the disposal of stores sent to the Plantations for the publick service, and that it has been a common practice to sell arms and other implements of war to those very Indians against whom they were intended to be employed. H.M. therefore thinks fit that you consider of the most proper methods to prevent these frauds which are doubly injurious to Her subjects, particularly you are to give your opinion whether it is not advisable that the Governor, when any occasion requires he should make a distribution of arms, ought not to be directed to take security for their being redelivered into the magazins when the service is performed. *Signed*, Dartmouth. *Endorsed*, Reed. 23rd, Read 28th April, 1712. $1\frac{3}{4}$ pp. [C.O. 5, 1316. No. 80; and 5, 1363. p. 401.]

April 22.

388. James Campbell to Mr. Popple. Encloses following. *Signed*, Ja. Campbell. *Endorsed*, Reed. April 23, 1712. *Ad-dressed*. $\frac{1}{2}$ p. *Enclosed*,

388. i. Archibald Cumings to James Campbell. London, April 21, 1712. *Reply* to questions of April 2 concerning Newfoundland. Mainly agreeing with April 5. *Con-cludes*: That trade has lyen under severall dyceadvantages, particularly by severall ships from Spain with Spanish colours navigated with Spaniards and all manner of Spanish manufactures by vertue of H.M. passports under colour of British interest though not one shilling interested in them, besides linnens, iron, alamoses, canvis, fruites and oyls, contrary to law and the prejudice of our manufactures in generall, and tends to the carrying on an illegal trade to the plantations, to the prejudice of the trade and navigation of Great Britain, *etc.* *Signed*, Archd. Cumings. $1\frac{3}{4}$ pp. [C.O. 194, 5. Nos. 13, 13 i.]

April 23.
Whitehall.

389. Council of Trade and Plantations to Mr. Secretary St. John. *Refer* to Representation of Feb. 16, and Order in Council of March 1, 17 $\frac{1}{2}$ (q.v.) relating to the Revenue of New York. We have been lately informed by Col. Hunter and Col. Quarry, as also by a Representation from the Council of that Province, that notwithstanding the repeated and pressing instances of the Governor and Council, the Assembly continue still obstinate, and are so far from expressing their duty to H.M. in providing a suitable revenue for the support of that Government, that they

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have made several votes and resolutions derogatory to H.M. Royal prerogative, one or more of which we take leave to instance in :—They pretend they do not sit as an Assembly and dispose of mony by virtue of any Commission, Letters Patents or other grant from the Crown, but from the free choice and election of the people in consequence whereof they will not admit of any amendments by the Council to any mony bills. The Governor is empower'd by his commission to establish such and so many Courts of Judicature, as he with the advice of the Council shal see necessary. He having by the advice aforesaid erected a Court of Equity, the Assembly whereupon resolv'd that the erecting a Court of Equity without consent in General Assembly, is contrary to law, without president, and of dangerous consequence to the liberty and property of the subjects. Upon which, we are humbly of opinion that if the Assembly of New York is suffer'd to proceed after this manner, it may prove of very dangerous consequence to that Province, and of very ill example to H.M. other Governments in America, who are already but too much inclin'd to assume pretended rights tending to an independency on the Crown. And therefore we humbly offer that H.M. be pleas'd to signify to the Governor of New York Her displeasure and disapprobation of such undutiful proceedings of the Assembly; and that H.M. pleasure be likewise signify'd upon the above-mentioned draught of a bill for settling a Revenue at New York (a copy whereof is here inclosed) for that we have reason to believe, from their proceedings, that without some provision be made by parliament here, no revenue will be settled there; as we more fully laid before H.M. the 13th of November last. [C.O. 5, 1122. pp. 489—492.]

April 25. **390.** Mr. Attorney General to the Council of Trade and Plantations. I have considered the Act past at Barbados, Aug. 8, 1796, *for the better enabling the executors of Christopher Estwick to pay the debts of the sd. Christopher*, in which Act it is recited that Richard Estwick, gent. having two sons, Richard and Christopher, and two daughters Elisabeth and Anne, devised one half of his real estate to Richard and the heirs of his body, with cross remainders in tail among them, charged with the payment of his legacies. Remainder to his two daughters in tail, remainder in fee to his widow. That Richard the eldest son dying without issue, the whole estate came to Christopher, and that he having made his will, and thereby made some provision for his onely son, and two daughters, and made several executors, and not having fully discharged his father's legacies, dyed incumbered with debts to the amount of £6000. That the said Christopher was also seized of several negros of his own purchase; that the creditors had commenced or threatened suits agt. his executors for recovery of their debts, whereby his personal estate, and his negros were in danger of being wholly extended and sold to satisfie them, and if the negros are taken off from the Plantation, whereof he was seised in tail, the Plantation would become of little value to the son, which could not be prevented by any way but by

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applying the whole profits of the estate to discharge the incumbrances, and by allowing the creditors interest in the mean while at 10 p.c., and that the executors did conceive that this way the estate would in all probability be preserved entire, and be cleared by the time the son should come of age. And therefore it is enacted, that the executors be impowered to apply the profits of the whole estate towards payment of debts and incumbrances, and to allow the creditors 10 p.c. interest till paid off. Which Act, I am of opinion, is unreasonable, in regard thereby the entailed estate, which descended to the infant, and was not chargeable with the debts of his father, is charged with the same, and also with 10 p.c. interest, and no provision whatsoever is reserved for the son, during the time the debts are clearing. I beg leave to take notice on this occasion that the Governors of the Plantations do not observe their instructions in transmitting the Laws passed in the Plantations, within the time prescribed for them to transmit the same. It appearing in this particular case, that this Act was passed Aug. 8, 1706, and not reced. by your Lordships till 12th Feb. 1711, and therefore I submit it to your Lordps.' consideration, whether the Governors of Plantations are not to be put in mind of taking care that laws passed in H.M. Plantations be transmitted for H.M. approbation in due time. *Signed*, Edw. Northey. *Endorsed*, April 29, Read May 22, 1712. 2 pp. [C.O. 28, 13. No. 90 ; and 29, 12. pp. 425—428.]

April 28. **391.** Mr. Musgrave to the Council of Trade and Plantations. Council Office. I am commanded by ye Lords of H.M. most honble. Privy Council to desire yr. Lordships will forthwith transmit all such papers *etc.* as shall be in your possession yt. relates to ye disorders of Antegoa, *etc.* *Signed*, Christo. Musgrave. *Endorsed*, April 29, 1712. 1 p. [C.O. 152, 9. No. 110 ; and 153, 11. p. 456.]

April 30. **392.** Robert Cunynghame to the Council of Trade and (May 3 and 30th). Plantations. I beg to lay my case before your Lordships, being now a prisoner in Charles Fort under the oppression of Walter Douglas, Capt. General of the Leeward Islands. The 29th Nov. Charles Fort in St. last was sworn a Representative in the Assembly of this Island, Christophers. the same day was brought to them from the General and Council by John Willett a bill *for raising a levey to defray the publick charges of this Island* with the Queen's seal for this Government affix'd to it, by which the General did expect should be paid him 100,000 pounds of sugar in cash. Mr. Willett said the seal was affixed the General being in hast to be gone ; I then had my protest against it entered into the Minutes of the Assembly, the Island being in such unhappy circumstances that we cannot make such presents which did beleive would be entailed upon our posterity and for such other reasons as the great hast to have the bill past would not allow time to reduce into writing. Jan. 7th being the next time the Assembly met and Speaker present, I entered into the Minutes my other reasons for protesting against the said Bill (*enclosed*). Some time after I received a message by a friend from Mr. Thornton the General's great favorite

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advising me to consider my numerous family, but not to be so frightened from my duty I spoke more openly against the General's having the 100,000 lb. sugar, the Bill not having the consent of the majority of the Assembly as the Queen directs in her commission. In all times before, whenever a levey bill was in agitation, it had seven yea's in the Assembly, then was signed by the Speaker and sent to the Council, which if approv'd of by them, Council and Assembly offer'd it to the General, who allowing of signed it and commanded the seal to be affixed, but, My Lords, General Douglas is satisfied with five yea's and the Speaker, provided he have the 100,000 lb. sugar notwithstanding our being at present objects of the Queen and Parliament's charity in making good in some measure the losses sustained by the French, our much greater losses by the hurrycane (many can say) which happened the night between the last of August and first of Sept. 1707, our perticular very great debts, which if compelled to pay would ruine most of the inhabitants, and the publick debts which by accots. adjusted amount to about £6500. Being informed on Sunday the 13th that the General who arrived here the friday before had some persons examined for words spoke by me, as I had said nothing but the truth, I writ him on the 14th what I had said. I must acknowledge I could have writ more civilly, but under a cloak of greatest friendship he put hardships upon me and my children, *etc.* The same day I was served with a false, scandalous and malicious warrant (*v.* No. ii.). In answer to the first charge, tho' I have served the Crown many years in the regular troops as Commandant of the Windward side of the Island, the Queen in her Council here, as Speaker to a General Assembly, and for several years to the perticular Assembly of this Island, yet no gentleman has bin so regular in riding the rounds as myself, and have ever press'd a more regular discipline, and in the parish of St. John Capisterre there has bin but seven men to do duty in the Foot, and but now six of which four are my servants, and when we had the seventh man he was hired by us in common to attend our negroes in building a Church, there are four members of Council livers in the same parish, and all together have not one man to do duty in the foot: to the second charge, I have spoke openly against the General's having the 100,000 lb. sugar as contrary to the Queen's intentions and not having the consent of the people's Representatives as H.M. directs in her Commission. I have also told the General in perticular and as his friend of the wrong I thought he did the Queen and himself in giving as I thought the Militia out of H.M. power, by consenting that all persons shal serve in such stations as shal be directed by the seven chief officers of the Island which your Lordships will judge of, if the Act be laid before you. I was had the 15th before the General in Council. He ask'd me if he was the Queen's Chief Magistrate here, I answered, he was. He having my letter in his hand ask'd me how I dared to writ it to him. I answer'd I had writ it and would stand by it. He asked me where I would be tryed, in England or here. I answer'd where he pleas'd, He charg'd me with sedition. I answer'd I

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am as faithfull and loyal a subject as any the Queen has. He bid me remember Col. Park at Antigua. I answer'd I hoped St. Kitts would never be guilty of the like, that I wisht him alive and at the head of that board. He askt if I had anything else to charge him with, if I had to declare it, my answer was I would not there, but in proper time and place I should. He asked me what authority I have to write to your Lordships, I answered I am one of the people's representatives, have a smal estate and numerous family. He wisht himself upon a level with me. I wisht he was. Mr. Liddell interposed desired me not to aggravate matters, but that they might be composed. I answered I did not aggravate, but should be pleas'd if H.E. was gratified, a paper was brought him ready sealed, which being read to me was a mittimus to Charles Fort for high crimes and misdemeanors. I offer'd bayle, which he refused. I applied to the Queen's Council, offering bayle. Mr. Liddell answered I did see the General would not allow of it. I desired a copie of the mittimus, the General said I should have it, but I have it not,—was hurried away in the great heat of the day as the greatest of malefactors and not allowed to stay in towne the coming of my horse. On Wedn. the 16th Mr. James Rawleigh came to Lt. Holland the officer commanding the Fort and told him 'twas the General's order he should attend him and carry the mittimus. I desired of Lt. Holland a copie of it, he refused untill he should go to the General. On the 17th I desired of Lt. Holland a copie of the mittimus, his answer was he had left it with the General. On Good friday the 18th my little son of twelve years old bringing me a letter from his mother, Lt. Holland took me aside, advised me to be cautious, for that he had orders from the General that no letters should come to nor go from me but what he should see. Your Lordships do see the oppression I lye under, being haled from my wife and eleven children on a false pretext, committed a prisoner as for high crimes and misdemeanours, do know none of them, am denied a copie of my mittimus, had none of the evidence confronted, know not what is sworne against me, and £4000 bayle refused for my appearing to a tryal, and this very letter is privately writ to your Lordships, who are appointed by H.M. to hear the complaints of her oppressed subjects in the Plantations. I perswade my self your Lordships will take such measures herein as shal be for the Queen's honor and ease of her oppressed subject, who values himself on his having the honor to be descended from an ancient, noble and loyal family, and the son of a gentleman Richd. Cunynghame, late of Glengarnock, who did as great services for King Charles I and II in their misfortunes as any of his rank. I do hope I may have reason likewise to value myself on the justice I shal have against General Douglas by your Lordships' means. *Signed, Ro. Cunynghame.*
Endorsed, Recd. Read Aug. 12, 1712. 3 pp. Enclosed,

392. i. Copy of Robert Cunynghame's reasons for protesting against the Act of St. Christophers for raising a levey to defray the public charges, etc. Jan. 7, 17 $\frac{1}{2}$. 2 pp.

392. ii. Copy of General Douglas' warrant for the arrest of

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Robert Cunynghame, on the charge "made to appear to me this day in Council by the information of divers persons upon oath, that he hath industriously and of his evil disposition endeavoured to stir up the militia to mutiny and disobedience of their officers," *etc.* "and to move the inhabitants to disobey the Acts of the Council and Assembly," *etc.* Signed, Walter Douglas, April 14, 1712. $\frac{1}{2}$ p. [C.O. 152, 9. Nos. 125, 125 i., ii.; and (without enclosures) 153, 11. pp. 500—507.]

May 1.
Whitehall.

393. The Earl of Dartmouth to the Council of Trade and Plantations. I send you herewith by the Queen's command a copy of a petition delivered by Mr. Tryon in behalf of Mr. Skeene H.M. Secretary at Barbadoes, setting forth among other things that he is suspended without having any copy of the charge against him. Upon which H.M. is pleased to order that you consider of the petitioner's case, and report your opinion what may properly be done therein; particularly by what methods the profits of his office may be secured to him, in case he should be restored; and whether you conceive it may be for H.M. service that Her Patent Officers be not hereafter liable to suspension till the complaints exhibited against them are laid before H.M., and her pleasure be known. Signed, Dartmouth. Endorsed, Reed. Read May 27, 1712. $1\frac{1}{2}$ pp. Enclosed,

393. i. Petition of Alexander Skeene to the Queen. Complaints of encroachments upon his office by Governor Lowther *etc.* Set out, A.P.C. II. No. 1163. q.v. Signed, on behalf of petitioner, Rowland Tryon. $4\frac{3}{4}$ pp. [C.O. 28, 13. Nos. 91, 91 i.; and 29, 12. pp. 429—433.]

May 2.
Whitehall.

394. Council of Trade and Plantations to Governor Lowther. Acknowledge letters of Dec. 20 and Feb. 18. We acquainted you, Nov. 22nd, whereof a duplicate has been already sent, what we had done, in relation to an Admiralty Commission for you, but we do not find that your Agent Mr. Tilden has yet taken it out, tho' we acquainted him with the necessity of it. We also acquainted you, that we approved of your reasons against a cartel for exchange of prisoners with ye French *etc.* We have writ to Major Douglas, in relation to the Act for ascertaining the rates of foreign coines, and hope he will take care to see the same punctually observ'd. But as in your letter you only mention H.M. Proclamation of June 18, 1704, we suppose you may have overlookt or not have received the Act of the 6th of H.M. reign abovementioned, and therefore we send you a duplicate thereof here inclosed. We have the other parts of your letters and the papers therein referred to, under consideration, and shall be able by the next opportunity to give you full answers thereunto, in the meantime we are to assure you, that if any complaints be made against you, we shall take care to do you justice. We perceive by a letter from Mr. Lilly the Engineer, that he has transmitted to the Board of Ordnance his report relating to Newfoundland. We wish that either you or he had sent us a

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copy of it, that we might have been informed thereof in time. We have lately received a private Act past in Barbados Aug. 8, 1706, for enabling the executors of Christopher Estwick etc., which for severall reasons here inclosed, is very unfit to be confirmed by H.M., and upon this occasion we must notice that the not complying with H.M. Instructions in sending to us all Acts, private as well as publick, by the first opportunity after their having been past, is not only a breach of H.M. commands but may prove of very ill consequence; for in this particular case, it appears that the Act was past in Aug. 1706, and not received by us till Feb. last, so that in all probability it has been put in execution before H.M. pleasure could be known upon it, and now when it comes to be repealed, may occasion much trouble and confusion to the executors of the said Estwick. We desire you therefore on all occasions and in all cases to be mindeful of that Instruction and to transmit to us all Acts by the first opportunity after their being passed. [C.O. 29, 12. pp. 414-416.]

May 2.
Kensington.

395. Order of Queen in Council. Referring following petition to the Council of Trade and Plantations, so far as it concerns any of the Governor's proceedings. *Signed*, Christo. Musgrave. *Endorsed*, Recd. 8th, Read 9th May, 1712. $1\frac{1}{2}$ pp. *Enclosed*,

395. i. Petition of Philip Freeke and John Day of Bristol, part owners of the *Oxford* to the Queen. Fitted out as a privateer and laden with provisions consigned to Robt. Addison of Barbados, also part owner, the ship was duly cleared at the Custom House at Kingsail in Ireland. Mr. Addison duly entered there and produced his clearance bill. But under pretence that the master had not deliver'd to the Governor a certificate of his loading from the Custom-house in Ireland, which tho' by law he is not obliged to show unto the Governor, Addison the day of his arrival at Barbados then offer'd to bring to him, but it was not insisted on at that time, and also under pretence of not producing a certificate of two or more merchants having made oath that the said loading was of the product and manufacture of Ireland (a thing only requir'd in case of Irish linnens, of which there was none on board, as Mr. John Lane, Depty. Collector of Customs declared) the Governor by warrant Nov. 21, 1711 did arbitrarily and illegally cause the ship and cargo to be seized. Mr. Addison was obliged to give good security to answer their value, if forfeited, before he could be permitted to dispose of his said loading, to the great loss and hindrance of petitioners. Tho' by law there ought to have been a libel or information forthwith exhibited by the person that made the seizure in order to bring the matter to a speedy determination, yet nothing was done therein until Dec. 29th, when the said ship had taken in her loading of prize sugars etc., in order to come for England (being prevented cruizing to annoy the enemy as was directed by petitioners by the impressing

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several of the men on board the said ship by Capt. Constable, Commodore there, who is a creature of the Governor's, under pretence that they belong'd to men of war) on which Dec. 29th a libel was exhibited in the Court of Admiralty there in the name of Richard Bindlos, purser of the *Experiment*, one of H.M. ships of war then at the said Island, a relation of the Governors, who is no ways authoriz'd thereunto, and has not given any security to answer damages to petitioners, the officers of your Majesty's Customs there, and all others applied to for that purpose refusing to suffer their names to be used therein. Altho' further sufficient security was offered, that she might proceed on her voyage, the Governor detains her, and hath ill treated and misused not only the officers of your Majesty's Customs there, who advis'd against the seizure, but also petitioners' counsel and all others who have appeared or acted for the interest of petitioners, appointing one Slingsby a creature of his own to act as your Majesty's Attorney Generall there without and against the consent of the person appointed to that office by your Majesty. The ship is still under seizure and no determination notwithstanding all the endeavours of petitioners' agents now near 5 months, at the cost of £300 per mensem to petitioners. *Pray for relief and compensation. Signed, Christo. Musgrave. Endorsed, Recd. 8th, Read 9th May, 1712. 6½ pp. [C.O. 28, 13. Nos. 88, 88 i.; and 29, 12. pp. 417—424.]*

May 2. **396.** Order of Queen in Council. Approving Representation
Kensington. as to a general pardon to those concerned in the rebellion at Antegua. Directions to be sent to the Governor of the Leeward Islands accordingly. *Signed, Edward Southwell. 2½ pp. [C.O. 5, 11. No. 76.]*

May 2. **397.** Mr. Popple to Mr. Attorney General. Encloses follow-
Whitehall. ing for his opinion.

397. i. Draught of a clause proposed to be inserted in some Act of Parliament relating to the sufferers of Nevis and St. Kitts. The residence of any planter his or her agent upon his or her plantation and manuring, planting and managing the same and the return of inhabitants or their representatives to their former houses or occupations shall be deemed to be a good resettlement, etc. *Endorsed, Recd. (from Mr. Campbell.) Read May 2, 1712. 2 pp. [C.O. 152, 9. No. 111 (enclosure only; and (without enclosure) 153, 11. p. 460.]*

[May 2.] **398.** Memorial [*? by Mr. Stephen Duport*]. Concerning the Islands St. Martyn and St. Bartholomé. There is not on either of them any quantity of land fitt for sugar canes, the greatest part being barren land, etc. The French had in peaceable tymes

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about 100 famelys on them, whose chief occupation was to reare stock for provisioning St. Kitts and Martinico. Some cultivated cotton and indigo. These two Islands cannot be reputed considerable in themselves, butt meight be of some consequence should they remaine in the hands of the French, as privateers can lie there. St. Kitts belonging wholly to Great Britain may be much better and sooner settled if provisioned from those islands. In tyme of peace the French cannot be prevented from illegal trade with the English, if these islands remain in the hands of the French, *etc.* *Endorsed*, Recd. Read May 2, 1712. $1\frac{3}{4}$ pp. [C.O. 152, 9. No. 112.]

[May 2.]

399. Gilbert Pepper and Evelyn his wife, sister of the late Daniel Parke, to the Council of Trade and Plantations. *Protest* against the appointment of Edward Warner (*v.* Feb. 19, March 15) to the Council of Antigua. He carried himself notoriously factious in the late troubles and with great insolence to the Governor; particularly being the person that carried a challenge from one Barry Tankerd, a ringleader of the faction, to Governor Parke, *etc.* *Signed*, Evelyn Pepper, Gi. Pepper. *Endorsed*, Recd. Read May 2, 1712. 1 p. [C.O. 152, 9. No. 113.]

May 2.
Whitehall.

400. Council of Trade and Plantations to Governor Douglas. Since ours of Oct. 26, (a duplicate whereof is here inclosed) we have received one from you dated Nov. 28, and shall be glad to find, as you intimate, that you have broke the knot of those persons, who were concerned in the late rebellion at Antegoa, which we hope will tend to the peace and welfare of that Isld., and we shall expect an account of your further proceedings, towards bringing that good work to a happy conclusion. At the same time that you tell us that you have suspended Mr. Milliken from being Fort Major at Nevis, you take no notice of your having also suspended him from the Councill, which you ought to have done, and given us your reasons for the same, as you are directed by H.M. Instructions to you in that behalf; wherefore we shall expect that you do send us your reasons for such suspension by the next conveyance, and that you give a copy thereof to him for his answer, that we may consider the same, and lay yt. matter before H.M. for Her pleasure therein. We shall likewise expect the papers of publick proceedings you promise us, together with the several Acts you mention to have past by the first conveyance. What you write in relation to the want of stores, has been laid before H.M. and so soon as we know H.M. pleasure therein, we shall communicate the same to you. You say that you have sworn Mr. Lyddell and Mr. Milward into the Councill, but you do not tell us of what Island, so yt. we are at a loss to understand that part of your letter, for we do not find that any of the Councils are under seven in number, and you are limitted by H.M. Instructions, not to put any persons into the Councill, unless the number be under seven, which you ought to have observ'd. Besides we find that the said Mr. Lyddle and Mr. Milward are named in H.M. Instructions to you for Montserat. There is

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one other article of your Instructions, in the observance whereof you are to be very punctual, and that is in the sending to us all Laws past by the General Assemblys, whether publick or private, by the first opportunity, after their being so pass'd. We are informed that the Act *for ascertaining the rates of foreign coins in H.M. Plantations in America*, which was delivered you with other Acts before your departure from hence, and of which a duplicate is here inclosed, is not observed in the Leeward Islands under your Government, which is a great prejudice to H.M. other subjects, who do observe the same ; you are therefore to give the necessary directions, that the said Act be punctually complied with, according to the true intent and meaning thereof. [C.O. 153, 11. pp. 457—459.]

May 5.
London.

401. Information of Mahuman Hinsdell. Informant, an inhabitant of Deerfield (Mass.) was taken prisoner in 1709 by the Indians, and detained at Mont Royal and Quebec for two years. While there, he discovered that a trade was constantly carry'd on between several merchants and others of Albany (N.Y.), and the French Indians of Canada, and that the said Indians were from time to time supply'd with all necessaries from Albany. And that when the news came to Canada of Col. Nicholson's being on his march to Mont Royal, several of the Indians told informant that they were now undone, for they fear'd they shou'd not be able to trade any longer with Albany, and that Canada was not able to furnish 'em with what they wanted. One Andrew Knock a trader of Albany assured him that in the summer of 1708 there were fourscore Eastern Indians (who are in open hostility against H.M.) actually trading at Albany. Informant declares that it was customary for the Indians, in their return from a trading journey to Albany, to fall upon some of the frontiers of the Massachusetts, and do great spoil and mischief. The French and Indians of Canada have often said in his hearing that they had peace with Albany, and informant affirms in fact, that when any of the people of Albany happned to fall into their hands they have been presently set at liberty. *Signed*, Mahuman Hinsdell. *Corroborated by* Joseph Clessen, two years prisoner in Canada. *Endorsed*, Reed. Read May 7, 1712. 1 p. [C.O. 5, 865. No. 80 ; and 5, 913. pp. 374—376.]

May 5.
Virginia.

402. William Cocke to [? the Earl of Dartmouth.] Returns thanks for H.M. patent for Secretary of Virginia, etc. *Signed*, Wm. Cocke. 2 pp. [C.O. 5, 1337. No. 17.]

May 5.
Annapolis
Royall.

403. Capt. Vane to [? the Earl of Dartmouth.] *Refers to plans sent by the mast fleet.* I hope that I shall speedily receive H.M. orders, in reference to this place ; that I may profit of the good weather for working. We have passed this winter very peaceably, by the care and management of Lt. Gouvernr. Caulfeild who has commanded ; and intierly gained the affections of the people, by his affable and just gouvernement : which the[y] people here have been strangers too, att least since taken, for Gouver. Vetch

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before the rebellion, had raised excessive contributions, and committed abundance of extortions, using the people more like slaves than anything else ; as I presume you have been informed ; the inhabitants having sent home severall complaints (by Mr. Capoon Left. of the traine) to H.M. *etc.* Gouv. Vetch has effects still in Canada, that have remained there, ever since he was in trouble about the smuggling trade : as I can prove, from a letter in my hands, from a man, that has some of them, and desires directions how he may send them to him. He's a very good Gouv. for his own profit, but not for the publick good, nor will the contrey ever flourish whilst he commands, the people dread him to that degree that now he talkes of comming back (having been att boston all the winter) there's a perfect cloud in every face, and I'me informed severall of the inhabitants, talke of abandoning ther habitations ; if he be not changed before next winter. I have reason to beleive this is made a deer Garrison to H.M. ; and it cannot otherwise chouse, when vessells that are hired, to bring provitions to the Garrison, genlly. one third, loaden with marchandize for him, and his associate Borland that is agent att boston ; were I to write halfe what the[y] doe, should never have done, *etc.* Signed, G. Vane. 2 pp. [C.O. 217, 31. No. 6.]

May 5. **404.** Account for wood and coal for the Board of Trade, 1712. £33 18 9. 1 p. [C.O. 388, 76. No. 144.]

May 5. **405.** Mr. Secretary St. John to the Council of Trade and
Whitehall. Plantations. Encloses following *to be complied with.* Signed,
H. St. John. Endorsed, Recd. 5th, Read 6th May, 1712. 1 p.
Enclosed,

405. i. Order of the House of Commons May 3, 1712. That an Address be presented to H.M. that she will be pleased to direct that the return made to the Council of Trade and Plantations upon the losses of Nevis and St. Kitts may be laid before the House. *Copy.* 1 p. [C.O. 152, 9. Nos. 114, 114 i. ; and 153, 11. pp. 462, 463.]

May 7. **406.** Council of Trade and Plantations to Mr. Secretary
Whitehall. St. John. Enclose further papers relating to the capitulation
at Nevis, 1706. [C.O. 153, 11. p. 464.]

May 8. **407.** Lt. Governor Spotswood to [? the Earl of Dartmouth.]
Virginia. *Repeats part of following.* No signature. 2 pp. [C.O. 5, 1337.
No. 18.]

May 8. **408.** Lt. Governor Spotswood to the Council of Trade and
Virginia. Plantations. *Encloses duplicate of Feb. 8 and acknowledges
letters of Oct. 22 and Nov. 22.* I shall by the return of our fleet
transmitt all the accounts required in the former, together with
the Journals of Council and the duplicates of those of the Assembly
being unwilling to trust them now to this uncertain conveyance
of a runing ship. I have nevertheless sent your Lordps. the

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copye of the laws pass'd last session of Assembly, and shall also send the duplicates of them by the Fleet. As to the proceedings in settling the boundarys with Carolina (*v.* Nov. 22, 1711) I have writt sundry times to the Govr. of that Province to appoint persons for adjusting thereof, but he tells me he has received no directions therein from the Lords proprietors ; so that your Lordps. will be pleased to consider of some farther means to quicken the Proprietors to put a speedy end to this dispute. We continue still under the apprehensions of being attacked by the Indians : for notwithstanding the Government of South Carolina sent a body of 700 of their Indians commanded by some officers of that Province, to the assistance of the people of North Carolina, and that about the latter end of last January they fell upon some towne of the Tuscaruros with pretty good success ; yet after this first rancounter near 500 of them deserted, so that their commander did not find himself in a condition to improve the consternation into which that sudden eruption had put the enemy, and in his next attempt upon one of their forts, he was forced to draw off with considble. loss : however this seasonable succour put new life into the people of that Province, and a new Assembly being call'd, pass'd an Act to raise £4000 for prosecuting the war against the Indian enemy ; and because they could not raise a sufficient body of men in that province, where the Quakers make a great number of the inhabitants, they made application to me for an assistance of 200 men from this Colony : the apparent danger to which H.M. subjects there were exposed, more especially by the Indians gathering fresh courage upon the repulse they had given the South Carolina forces, together with the just grounds there appeared to belcive that the whole Tuscaruro Nation were confederated with those concerned in the massacre, not only from their failing to perform any one of the engagements they had entered into with this Government, but the trifling excuses they made for that future at their comeing in to me in March last, and the discoverys of their intreagues to seduce our Tributary Indians to joine with them, were sufficient motives for agreeing to the assistance desired by Carolina, as the most probable means to divert the storm from our own frontiers ; so that upon a full debate in two several councils, I had the unanimous advice of the whole Council to send 100 men of our inhabitants and 100 of our tributary Indians to the assistance of Carolina ; and because the Assembly had left me no fund to answer such an occasion, and that there remained nothing in bank upon the Revenue of 2s. per hhd., there was a necessity to defray the charge of this expedition out of H.M. Revenue of quit-rents, since the necessity was so pressing as would not admitt of the forms of calling an Assembly, and the delays incident to their proceedings ; but it was also agreed to demand of the Government of Carolina to enter into a previous engagement in behalf of the Lords Proprietors, that whatever sum should be imployed for this service out of H.M. Quitt-rents should be refunded by the Lords Proprietors, if H.M. thought fitt to demand it as being more imediately imployed for the protection of their Government.

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Upon this I proceeded to appoint the rendezvous of the soldiers, and desired a conference with the Governor of North Carolina for the better carrying on this service, but at my meeting him he told me with great concern, that the Commander sent from South Carolina had without his knowledge clapt up a peace with the Indians, upon very unaccountable conditions at a time when he had reduc'd one of their most considerable forts to the last extremity and could not have miss'd taking it in a few hours, nor of breaking intirely the power of that enemy, if he would have waited the arrival of the succours from hence, and the force then raising in North Carolina to joine him. This weakness in the conduct of their affairs, together with a more unaccountable obstinacy in the Council of that province, in refusing to submit to H.M. determination the repayment of the money disbursed here for their assistance, or of furnishing so much as provisions for the forces sent from hence is as great a discouragement to their neighbours as 'tis encouraging to the Heathen, who are not such fools as not to perceive their weak efforts in carrying on the war, as well as their easiness in making peace. And it happened very luckily on this occasion, that I had not entered any of the soldiers of this Government in pay, before I knew of this event, so that all that expence is saved, and I have now nothing more to think of than the defending our own frontiers against the inroads of the Tuscaruros whenever they find themselves in a condition to break this peace which nobody beleives will be long lived. I beg leave here to represent to your Lordps. the ill consequence of leaving this Government without money to apply towards its exigencies in such a conjuncture as this is : for tho' all the ballance of the quitt-rents was last year by H.M. order applied towards buying provisions for the forces at Canada, and considerable sums more advanced upon the credit thereof by the Receiver General, myself and several other persons for that service, which still remain undischarged, yet there is a late order sent hither from the Treasury for remitting into the Exchequer no less than £3000 out of that Revenue, which is more than it can reasonably be supposed to raise in three years time : and if this country should be attacked either by the Indians or any other enemy, while the Revenue of 2s. per hhd. is so low, that the whole last half years salarys are yet in arrear, I know not by what means men can be raised or subsisted to defend the country : 'tis true if I should call an Assembly I might easily persuade them to declare a war against the Indians, and to raise money for carrying it on, but then your Lordps. will be pleased to consider whether it be consistent with H.M. service or the interest of Great Britain to permitt them to raise taxes in the manner they projected at their last session, and I am very confident as the humour of the country runs now, they would fall upon the same method of taxing British manufactures : and therefore I must beg your Lordps. directions before I call an Assembly, how far I ought to condescend to the disposition of the people in a matter wherein I can't in my own private opinion concur with them. Amongst other claims mentioned in my last as rejected

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by the Assembly your Lordps. will observe about £270 for the charge of the spy-boat fitted out by H.M. directions upon the alarm last summer, some few charges about mounting the great guns, and the subsistence of 80 french prisoners of war which I sent home by the last fleet, the persons who disbursed this money are still unpaid, and uneasy upon their disappointment : and I am as much concerned that there is not money even for the discharge of that small debt ; and since it was expended for H.M. service, it would very much encourage people on the like occasions, if I had directions to defray that charge out of the quitt-rents in case the publick Revenue of the Government still proves deficient. It is a great satisfaction to me to find by your Lordps.' of Nov. 22nd that my endeavours in supplying Collo. Hunter with pork for the Canada Expedition is acceptable to your Lordps., and I beg your Lordps. will be pleased to accept of my humble acknowledgements for the offer of using your interest with my Lord High Treasurer in my behalf. I have here sent the account of what money I have been in disburse on that occasion ; it has been examined and passed in Council, and I flatter myself there will be no objection made against the frugality of my management, since it will appear by the account, that notwithstanding the great demand for pork at that time, the first cost and whole charges of receiving, new pickling and shiping doth very little exceed 45s. per barrell, a price frequently paid here at that season of the year as the prime cost in private dealings, and as I can with truth assure your Lordps. that I proposed no gain to myself in this purchase, so I hope it will not be thought reasonable that I should be a loser by lying any longer out of my money, or suffering in my credit with the people to whom I am still engaged for part of it. According to what I had the honour to write in my last, the Baron de Graffenried is come hither with a design to settle himself and several Swiss familys in the Fork of Potomac, but when he expected to have held his land there of H.M., he now finds claims made to it both by the Proprietors of Maryland and the Northern neck, the Lord Baltimore's agents claiming in his behalf to the head springs of the South-West branch of Potomack, and my Lady Fairfax's agents claiming to the head springs of the North-west branch : tho' by the copys of the grants which I have seen, it appears to me that H.M. has the right to that tract of land exclusive of both Proprietors. I have writt to the Baron to send me a draught of both those branches, which I shall by the first opportunity transmit to your Lordps. ; and as the record of both grants may be seen in the Chancery Office, I shall wait your Lordps.' directions whether it be proper to insist on H.M. right. Amongst other frauds heretofore used in obtaining rights for takeing up land in this Colony (which I'm endeavouring to prevent) I have observed that most of the rights upon which patents are now sued out, are for the importation of persons into the Northern Neck ; the Charter granted by King Charles II to this Colony, intitles every person coming to dwell here to 50 acres of land not already granted ; but the Proprietors of the Northern Neck not thinking

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themselves bound to grant their land on such a right, the people who are imported into that part of this Colony, generally assign their rights to others, who by virtue thereof claim land of H.M. : but it being in my opinion very unreasonable that the persons employed in the improvement of the Proprietors' lands, should be intitled to the same priviledge as those who improve H.M. lands, I have stopt the granting patents upon those rights untill H.M. pleasure shall be signified therein. The ascertaining the value of forreign gold coins has been attempted in both the late Sessions of Assembly, and is what the people are very earnest for ; 'tis true there are some inconvenienys which would accrue to the country by putting a certain value upon gold, which I don't observe to be fix'd in any other country : and for that reason as well as for that H.M. had not rated it in her proclamation with the silver coin, I did not think fitt to pass the Act prepared for that purpose last session, but since it is like, the Assembly may again at their next meeting, fall into the same project of rateing foreign gold, as a matter which they beleive of consequence to their trade, I should be glad to have your Lordps.' opinion thereupon together with an estimate from the mint at what it may be allowed to pass here. Coll. Bassett has received H.M. letter for his being again of the Council, but as it doth not mention his being admitted into his former place at that Board, he has declined being sworne. As H.M. was pleased to grant that favour to Collo. Digges, Collo. Smith and Collo. Lewis upon their readmission into the Council, I hope this is only an ommission, and not intended to cast a blott upon this gentleman, but that H.M. will be pleased to approve of his taking post according to his former precedency, wch. is next to Collo. Ludwell. I shal be glad to receive this signification of H.M. pleasure either from your Lordps. or H.M. Principal Secretary of State, without putting Collo. Basset to a new expence of fees, which doth not well suit with a place, where there is no profit to be reap'd. *Signed*, A. Spotswood. *Endorsed*, Recd. July 9th, 1712. Read Feb. 4th, 17 $\frac{1}{2}$. 6 pp. *Enclosed*,

408. i. Account of pork bought in Virginia for the use of H.M. forces in Canada in 1711. (*v. preceding*). *Same endorsement*. 1 $\frac{1}{2}$ pp. [*C.O.* 5, 1316. *Nos.* 88, 88 i. ; and (*without enclosure*) 5, 1363. pp. 441—452.]

[May 8.]

409. Petition of Robert Robinson to the Council of Trade and Plantations. In Dec. 1708 Petitioner purchased for £200 from Edwd. Cowley his patent for the office of Register of the Vice-Admiralty in New York, Connecticut and the New Jerseys, granted to him May 8, 1708, by H.R.H. the late Lord High Admiral with the salary belonging thereto of £100 per annum, *etc.* Notwithstanding that Petitioner has been at the charge of renewing the same in his own name, and has a deputy at New York, and that Lord Clarendon, the late Governor, established a salary of £100 a year for that office, yet the Government there refuse to pay it. *Prays* the Board to recommend to the Lord High Treasurer that the arrears due and future salary may be

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paid out of the Treasury here. *Endorsed*, Reed. 8th, Read 9th May, 1712. 1 p. [C.O. 5, 1050. No. 39.]

May 9.
London.

410. Certificate in favour of Mme. Salenave (v. April 17). *Signed*, Cha. Mathew, Pen. Russell, Mary Pinney, Eliz. Moore, Eliz. Renoult. [C.O. 153, 11. pp. 468, 469.]

[May 12.]

411. The case of the sufferers of Nevis and St. Kitts from the French invasion. *Endorsed*, Reed. 12th, Read 13th May, 1712. 2 pp. [C.O. 152, 9. No. 116.]

May 12.
Kensington.

412. Order of Queen in Council. Approving draft of a Proclamation containing H.M. most gracious and generall pardon to those persons concerned in the rebellion at Antegua, and the murder of Coll. Parks, except those H.M. hath been pleased to except therein, *etc.* Governor Douglass is to publish the same within 24 hours after the receipt thereof, or sooner if conveniently it may bee, *etc.* *Signed*, Edward Southwell. 1 p. [C.O. 5, 11. No. 77.]

May [12].
London.

413. Mr. Richier to the Council of Trade and Plantations. At a meeting of ye Proprietors of New Jersie, upon reading over ye names transmitted from thence to the Lords Commrs. for Trade for their Lordps. to make choice of six persons to supply ye place of five men in ye Council complain'd of both by ye Assembly there and ye Proprietors here, vizt. William Pinhorn, Peter Sunmans in ye Eastern Division, and Dan Cox, Hugh Huddy and Wm. Hall in ye Western, and one vizt. Richd. Towneley lately deced. in ye Eastern, it is most humbly proposed by ye said Proprietors that ye persons underment. may fill up ye intended vacancies being men of substance and probity, recommended both by ye Governour and Assembly of yt. Province, and approv'd of by ye Proprietors here. And ye said Proprietors do make it their humble request to Paul Doeminique Esq. President of their Society, that he would represent this to ye Rt. Hon. ye Lords Commrs. *etc.*, that this may have ye needful dispatch given it; being well assured yt. if it be much longer delayed, H.M. interest as well as yt. of ye people will suffer very much by it, and ye province brought into ye utmost confusion. *Subscribed*, names proposed, for the Eastern Division: John Anderson, Wm. Morris, Elisha Parker; for the Western, John Hamilton, Tho. Byerly, Tho. Redding. *Signed*, E. Richier. V.P. *Endorsed*, Reed. Read May 13, 1712. $\frac{3}{4}$ p. [C.O. 5, 970. No. 157; and 5, 995. pp. 157, 158.]

May 13.
Whitehall.

414. Council of Trade and Plantations to the Earl of Dartmouth. Enclose warrants for H.M. signature, empowering the Governors of Virginia and Maryland to use the new seals of those provinces now prepared by Mr. Roos, H.M. Seal-cutter. *Annexed*,

414. i. Copy of Warrants referred to in preceding. [C.O. 5, 1363. pp. 402—404; and 5, 1335. No. 171.]

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May 13.
Johnson's
Court,
Fleetstreete.

415. George Tilden to Mr. Popple. In reply to a summons to reply on behalf of Governor Lowther to the charges brought against him concerning the ship *Oxford* (v. May 2nd), begs for further time to be allowed. *Signed*, Geo. Tilden. *Endorsed*, Reed. Read May 13th, 1712. *Addressed*. 1 p. [C.O. 28, 13. No. 89; and 29, 12. pp. 424, 425.]

May 14.
Whitehall.

416. The Earl of Dartmouth to Governor Douglas. In obedience to H.M. Orders in Council of 2nd and 12th of this inst. May, you are to cause a General Amnesty to be publish'd under the seal of the Island to all H.M. subjects who may have been any way concerned in the rebellion at Antegoa, and the murther of the late Col. Parke, under the restrictions and reservations specified in the draught hereunto annexed, which has been approved by H.M. I send you likewise enclosed duplicates of the above-mentioned Orders of Council, that you may see more fully what H.M. intentions are, and upon what mature and due consideration these resolutions have been taken. I have nothing more to say upon this subject, but that Her Majesty shewed some surprize, that you had not already published a Pardon to this effect in compliance with the Instructions given you before you went to your Government. *Signed*, Dartmouth. *Annexed*,

416. i. Copy of Order of Queen in Council May 2, 1712.

416. ii. Copy of Order of Queen in Council May 12, 1712.

416. iii. Copy of Proclamation of General Pardon as ordered Nos. 396, 412. [C.O. 324, 32. pp. 145—153.]

May 15.
Whitehall.

417. Council of Trade and Plantations to the Earl of Dartmouth. *Reply to April 22.* By an Act passed in Virginia in 1684, the Militia is to be compleatly provided with arms, that is to say, every trooper is to supply and furnish himself, with a good horse and all arms and furniture, fit and compleat for a trooper, and every foot soldier is to furnish and supply himself with a sword, musquet and other furniture fit for a soldier. In 1702, when the Militia of Virginia was in great want of arms and ammunition, H.M. was graciously pleased to send a supply, the estimate whereof, with the freight and incident charges amounted to £3388 3s. 4d., and by H.M. letter, the Governor was directed to make good that sum to the Board of Ordnance out of H.M. Revenue of Quit-rents there: and further in case it should be found necessary, to deliver any of the said arms or stores for the ordinary service of the Militia, that he should take care to see H.M. reimbursed for the same by such persons to whom such stores should be deliver'd, and that the mony arising thereby be put into the hands of H.M. Receiver General to be disposed of as H.M. should direct. But it does not appear to us that H.M. has been repaid the said sum. And therefore if H.M. is now pleased to send a supply of arms, ammunition and stores of war to Virginia, we humbly offer that the Governor be directed not to deliver any of the said arms or stores, but to such persons as shall pay for the same, and that the mony arising thereby be remitted by bills to the Board of Ordnance; and that the Governor

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be further directed to take care that the Militia be provided with arms and necessaries according to the abovementioned Act. [*C.O.* 5, 1363. *pp.* 405, 406 ; and 5, 1335. *No.* 172.]

May 15.
Virginia.

418. Lt. Governor Spotswood to the Council of Trade and Plantations. *Refers to May 8th re Carolina boundary Commissioners.* I have since seen the Instructions of the Governor of North Carolina sent lately with his Commission, but do not find the least mention of the boundarys, no more than if such a controversy had never been depending. I cannot omitt observing to your Lordps. one thing in those Instructions, which is like to prove very prejudicial to this Colony, and that is, a power given by the Lords Proprietors for the space of seven years to dispose of their lands at the rate of 20s. each thousand acres for the first purchase, and twelve pence quitt-rent yearly for every hundred (which is but one fifth of what is paid here for obtaining rights to take up the Queen's land, and one half of the yearly quitt-rent payable to H.M. for the same) and without any obligation on the patentees there to seat or cultivate. The publication of such a privilege has already wrought so much on the people here, that great numbers are flocking to that Province to take up land, and there's no doubt many more will follow upon the prospect of having what tracts they please on such easy terms. This excursion of the people into North Carolina, as well as into the lands of the other neighbouring Proprietors will be very much furthered by a general opinion lately revived that there are gold and silver mines in these parts towards the mountains : and because in the grants to the Proprietors, the share of the Crown in Royal mines is ascertained, and no such declaration made for those found in the lands held immediatly of H.M., people propose to themselves a greater advantage by seeking after them in the former. For this reason, I'm told, some persons who heretofore had, or fancy'd they had made such discoverys here, were discouraged to prosecute them, and dyed with the secret. But now that the same opinion is revised, and the humor of making discoverys become more universal, I humbly offer it to your Lordps.' consideration, whether so great a profit as may redound from the discovering and working such mines ought to be lost for want of a declaration what share H.M. expects out of them. I find by the grant to the Company that first settled this Colony, the Crown reserved the fifth part of all silver and gold mines, and that accordingly the ancient patents express the same : since the dissolution of that Company that the soil reverted to the Crown, the patents conveyed to the patentees of the land, a due share of all mines and minerals ; but what that share is, has never yet been determined : and in the Act of Assembly concerning the granting of lands pass'd in the year 1706 (but now repealed) the forme of the patents there established, gave entirely to the patentee all mines and minerals without any reservation ; and tho' your Lordps. made some alterations in the draught of the bill before it passed here into a law, yet I don't find that part of it was questioned or altered, and some patents granted by my predecessors while

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that law was in force, have the same clause in them. But upon the repeal of that Act, I altered the forme of the patents in this particular, and made them conformable to the former, vizt. by granting with the land only [a due share of all mines *etc.*] believing that share ought most properly to be determined by the Crown. Wherefore I hope your Lordps. will be pleased to move H.M. for a speedy declaration what share is expected if any royal mines are found in the lands already patented under H.M. grant ; and whether if any such be discovered on lands not yet patented, I ought to grant those lands to any private person who makes the discovery ? The ascertaining this will encourage people to make discoveries on the Queen's land, and if found will keep them where they may bring more profit to the Crown then by runing on the like projects in the lands of any of the neighbouring Proprietors : and since by the Charter to the Proprietors of the Northern Neck, there is only reserved to the Crown the fifth of all gold and tenth of all silver oar, your Lordps. will not I hope think it unreasonable to propose to H.M. that for the encouragement of H.M. more immediate tennants in the other parts of this Colony, no greater proportion be demanded of them. I am the more desirous of some speedy directions herein, because I have great reason to believe there are mines lately discovered here, and I would willingly promote as far as I am able anything that may be for the service of H.M. and the good of this country. It is like some of these mountains may bring forth only such imaginary oar as I find some people heretofore have busied themselves about, and that others may prove such barren ones as not to countervail the charge of working, yet 'tis also possible that the earth in this part of the Continent may partake of the same mineral qualitys with that of the more Southern climates, and that the diligence of inquisitive or fanciful men may in the end prove of very good consequence both to the Sovereign and the subject. I forgot to mention in my last the success our guard ships have had in the West Indies : I gave them leave last winter to go to Barbados, not only for convoying our trade thither, but in consideration that they might be more serviceable there than here during the winter season. Having join'd some of H.M. ships attending those Islands, they fell in with a fleet of 17 sail bound for Martinico, and took twelve of them, and amongst the rest the man of war that convoy'd them, taken by Capt. Smith in the *Enterprize* attending this station. The *Bedford* galley arrived here the other day, and brought in a French merchant ship loaded with sugar, indico and cocoa, and I hear Capt. Pudner in the *Severn*, one of the convoys to the Virginia Fleet, has taken and carryed into New York a French privateer of 180 men, wch. very much infested this coast. I shal not trouble your Lops. with a duplicate of my last till the return of our Fleet, *etc.* Signed, A. Spotswood. Endorsed, Recd. Sept. 15th, Read Feb. 26th, 1713. 3 pp. [C.O. 5, 1316. No. 89 ; and 5, 1363. pp. 453—458.]

May 15.
Whitehall.

419. Council of Trade and Plantations to the Lord High Treasurer. *Representation* upon the petition of Robert Lee.

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Refer to previous reports (Aug. 1689, May 1694, and C.S.P. 1703, No. 416), agreeing in substance that the late Earl of Stirling was granted a pension of £300 per annum to be paid him out of the surplusage of the neat profits of the Revenue arising out of New York, *etc.* *Continue*:—But in regard we are not possess'd of the accots. of the Revenue of New York, we do not know how the same has been expended and are not therefore able to inform your Lordp. whether there has been any surplusage in the Revenue there, to compensate the petitioners for their pension and the interest accruing thereon. [C.O. 5, 1122. pp. 500, 501.]

May 15.
Jamaica.

420. Governor Lord A. Hamilton to the Earl of Dartmouth. *Refers* to letter of Jan. 19, by H.M.S. *Anglesea*: since which I have not been favour'd with any of your Lop's. commands; nor indeed ever since my departure from England: However I think it a part of my duty to acquaint your Lordp. of such occurrences here as I think worthy of your Lordship's notice. *Repeats case of David Creagh etc., and account of Jamaica crops, (v. No. 423).* As for news, we have intelligence here that there are three galleons expected soon at Carthagea from old Spain; and Commodore Littleton has ordered some of the ships under his command, to cruize some weeks off that place in order to intercept them, if possible *etc.* We have a report of an insurrection in the Kingdom of Peru; but have none of the particulars as yet, further than that some merchants lately arrived from the coast, assure me that the money design'd from Lima for Panama, and from thence to Portobell has been stopt upon that acct., *etc.* *Signed*, A. Hamilton. 3 pp. [C.O. 137, 51. No. 61.]

May 15.
Jamaica.

421. Governor Lord A. Hamilton to Mr. Lewis. *Acknowledges* letter of Oct. 19th. I'm sorry to find by letters of a fresher date yt. there has been such heats and devision since ye opening of ye Sessions, both in relation to ye Peace and ye affaire of ye Peers of Scotland in ye House of Lords, *etc.* The next shippes from Europe are expected with impatience, hoping by them to receive acct. of a further advance made in ye Peace; which is earnestly wished for in these parts, which doe not at present afford any newse worth taking notice of, more then in generall yt. this Island is in good condition as to plenty of Plantation provision and a prospect of a greate crope of sugar, the weather haveing been more seasonable then has been knowne here for many years, *etc.* *Signed*, A. Hamilton. 2 pp. [C.O. 137, 51. No. 60.]

May 15.

422. Sir John St. Leger to [? the Earl of Dartmouth, or the Lord High Treasurer, v. Feb. 9]. I received a letter from one Mr. Thornton of Nevis dated March 17, 1711 (=12); which intimates that one Mr. William Douglass was just arrived from Antego as express from the governor, and that he had a large packet for the Secretary of State with the proclamation for a general pardon, and several papers relating to Lt. General Hamilton, and that ye said William Douglass went on board the same

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ship with General Hamilton, being a ship of some force, which I understand is taken by the enemy. *Signed*, John St. Leger. $\frac{3}{4}$ p. *Enclosed*,

422. i. Copy of Governor Douglas' Proclamation of H.M. General Pardon *etc.* *Duplicate of Feb. 6.* $1\frac{1}{2}$ pp.

422. ii. Address of the Assembly of Antigua to Governor Douglas in Council. *Return thanks for preceding.* *Signed*, Sa. Watkins, Speaker. *Copy.* $\frac{3}{4}$ p. [C.O. 152, 42. Nos. 84, 84 i., ii.]

May 15.
Jamaica.

423. Governor Lord A. Hamilton to the Council of Trade and Plantations. *Encloses* duplicate of March 8, since which I have not been favour'd with any of your Lordps.' commands. I have not as yet been able to procure to your Lops. a satisfactory accot. of the number of inhabitants *etc.*, not having received the musters of all the militia regiments, nor returns from the parish-books from which this accot. must be collected. As to an accot. of births, christenings and burials, I have long since given directions to the Commissarys and other Ministers, for having abstracts of their several registers of these particulars : But upon full enquiry, I find that as some parishes want ministers, there is not any register kept in them ; others are so lame and imperfect that there is no dependence to be had upon them ; for, in most of the parishes, the far greater part of the inhabitants who die here, are buried in the respective plantations to which they belong : many are so remote from parish churches that, by reason of the badness of weather, over-flowings of rivers *etc.*, the ministers are seldom call'd to such burials : so that in several parishes, the frequent deaths, changes or other removal of ministers, church-wardens and clerks of vestries, remoteness of many places from the parish-churches *etc.* make it almost impracticable to keep such registers as would seem requisite to make up such an accot. of these particulars as your Lops. require ; without much more trouble and charges than the nature of the thing will bear. For tho' the whole Island is divided in distinct parishes and districts ; yet there [*? are*] still indefinite vast tracts of land uninhabited in all of them to this hour ; which makes all manner of communication from one place to another in most parts of the Island, more difficult than probably your Lops. imagine. I thought by this conveyance to have sent your Lops. the Receiver General's accot. current, from Lady-day, 1711—1712. But a severe fit of sickness, of which he is not as yet recovered, has hindered him from attending the Council for passing his accots. there in due form. However I hope to send them by the next opportunity that shall offer. *Refers to enclosures*, compiled according to instructions, *etc.* I have, with the advice of the Council, resolved upon making a considerable addition of a new line to the present fortifications at Port Royal, as being the place of most importance : But in regard it is found by experience, that, upon several accots., planks can never be made serviceable for platforms, at least not durable, and that we can not get stones here fit for that purpose ; I have, by the advice of the Council

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likewise, given commission to have a considerable quantity of stone fit for that service brought from England ; and in the mean time, while materials are a getting ready for Port-Royal, I have set the Engineer at worke in building a small fort for the security of Port-Morant, a very convenient harbour to the windward ; and which will likewise be of great advantage to all tradeing vessels going to and from the north side of this Island, in case of any danger by privateers or storms etc. I think it my duty to acquaint your Lordps. that one David Creagh, merchant and supercargo of a sloop of and belonging to Barbados, coming some time ago into Port-Royal Harbour, and being found to have traded with the Queen's enemies, and to have clandestinely convey'd aboard another ship then lying at anchor in the Harbour some goods of the growth of the French Plantations, his sloop and what was found of the cargo were thereupon seized and condemned in the Admiralty Court of this Island, and himself committed upon accot. of High Treason, as corresponding and trading with the Queen's enemies : But in regard that, by the Attorney General's opinion, the said David Creagh is not tryable for that species of treason, any where but in Britain ; I have with the unanimous opinion and advice of the Council, sent him for England on board H.M.S. *the Jersey* ; and for your Lops'. more particular information of the said David Creagh's case, I must referr you to the herewith inclosed state thereof ; which I hope may satisfy your Lordships as to the legality of the proceedings here against him. I have the satisfaction of acquainting your Lordships further that the state of this Island is generally much improved of late, with respect to the seasons ; there being a very plentiful crop of sugars and plantation-provisions in most parts thereof ; which I hope may ease the inhabitants of those difficulties they lay under lately through the scarcity of both the one and the other. *P.S.* I thought by this conveyance to have sent home in the same ship with Mr. Creagh the two persons who gave evidence against him here : But unluckily Commadore Littleton (who took charge of them all along on board one of the Queen's ships to save expenses) forgot to keep them in harbour, when the ship in which they are went last to sea : However upon her return from her present cruize, I'll take care to have them sent, by the very next conveyance. *Signed, A. Hamilton. Endorsed, Reed. July 22, 1712, Read July 17, 1713. 5½ pp. Enclosed,*

423. i.-v. Accounts of stores of war in the forts etc. in Jamaica, April, 1712. *Endorsed as preceding. 6 pp.*

423. vi. Case against David Creagh of Barbados, who sailed in the sloop *Friendship* from Barbados with negroes and dry goods and traded them for indigo in the French settlements in Hispaniola, transferring the same in the harbour of Port Royal to the *Union*, and *Robert and Francis* speedily bound for London, etc. *Same endorsement. 1¾ pp.*

423. vii. Report by Capt. Francis Hawkins, Engineer ; the fortifications of Port Royal and all other the fortifications of Jamaica are much out of repair. *Proposes*

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works at Port Royal, Port Morant *etc.* *Signed*, Francis Hawkins. *Same endorsement.* 1 p.

423. viii. (a) Imports of Jamaica, Sept. 29, 1711—March 25, 1712. *Number of ships*, from England 17, from the Plantations, 38. *Negroes*, by the separate traders, 2228. *Madera wines*, provisions, tars, pitch, *etc.* 1 p. (b) Exports from Jamaica Sept. 29, 1711—March 25, 1712. *Number of ships*, to England, 14; to the Plantations, 17. Sugar, to England, 1892 hhds., 4 barrels; to the Plantations, 20 hhds., 78 tierces, 82 barrels, 4 chests, 100 lb. *Rum*, to England, 2 hhds., 1 tierce; to the Plantations, 6 hhds., 7 tierces, 9 barrels, 31 pipes and puncheons, 30 jars. *Lime juice*, to England, 2 puncheons, 4 hhds., 1 barrel, 10 casks; to the Plantations, 16 puncheons, 11 hhds., 4 tierces, 38 barrels, 1 cask. *Molosses*, to the Plantations, 83 hhds., 1 barrel. *Piemento*, 54 hhds., 1 tierce, 17 barrels, 76 casks, 14 baggs; to the Plantations, 3 barrels, 20 casks. *Indico*, to England, 141 barrels, 105 casks; to the Plantations, 1 bag. *Cotton*, to England, 166 baggs. *Ginger*, to England, 943 baggs. *Cocoa*, to England, 12 casks, 10 baggs; to the Plantations, 5 hhds. *Logwood*, to England, 38 tuns; to the Plantations, 8. *Fustick*, to England, 22 tuns. *Tortoiseshell*, to England, 2 barrels. *Sarsaparilla*, to England, 60 baggs, 389 bales. *Vigonia wool*, to England, 69 bags. *Nicorogo or stockfish wood*, to England, 39 tuns. *Spanish hides*, to England, 58; to the Plantations, 100. *Salt*, to the Plantations, 9 hhds., 500 bushels, and a few other small items. *The whole endorsed as preceding.* 2 pp. [C.O. 137, 10. Nos. 8, 8 i.—viii.; and (without enclosures) 138, 13. pp. 461–468.]

- [May 16.] 424. Petition of Mr. du Pré, Commissary of the Palatines' stores at New York, to the Council of Trade and Plantations. Petitioner has been detained in England 15 months longer than H.E. Brigadier Hunter did expect, without obtaining any satisfaction about the settlement of the Palatins. *Prays* to be dispatched to H.E. with the Board's commands by a man of war now about to sail. *Signed*, James du Pré. *Endorsed*, Recd. 16th, Read 20th, 1712. 1 p. [C.O. 5, 1050. No. 41; and 5, 1122. p. 502.]

- May 17. 425. Edward Collins to [? the Earl of Dartmouth.] *Presses* the claims of his brother John Collins, Commander of the Fort at St. Johns, Newfoundland, (v. Jan. 21, 1711), that he may not be "under the blast of being excluded from that post, to make way for one so undeserving and unfit, as is his competitor, Mr. Gully, who was Lieutenant. under Major Lloyd in the Fort, when it was last yielded (if not worse) to the French in so base and scandalous a manner; *etc.* The last ships that will goe this summer are now going," *etc.* *Signed*, Edward Collins. 2 pp. [C.O. 194, 23. No. 6.]

Wimbledon,
Surrey.

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May 19. **426.** Duke of Leeds to [*? the Earl of Dartmouth.*] *Recommends* Mr. John Collins, who wishes for a speedy answer to his petition, May 17. *Signed*, Leeds. 2 pp. [*C.O.* 194, 23. No. 7.]
- May 19. **427.** Certificate by Lady Russell *etc.* Madame Salenave, after the taking of the French part of St. Kitts, was restor'd to the estate she had formerly there, and when she came over to England she left her plantation under the care of Lt. Robert Cuninghame, who marry'd her own neece, and had the management thereof, till by the Treaty of Ryswick the French did recover what they had in the Island before the war. *Signed*, Pen. Russell, Cha. Mathew, Eliz. Renoult, and 2 others. *Endorsed*, Reed. 21st May, 1712, Read 6th April, 1714. $\frac{3}{4}$ p. [*C.O.* 152, 10. No. 14.]
- May 21. **428.** Mr. Popple to William Dockwra. The Council of Trade and Plantations having under consideration some matters relating to New Jersey, desire to speak with you on Tuesday, *etc.* [*C.O.* 5, 995. p. 158.]
- May 21. **429.** Mr. Popple to Josiah Burchett. The Council of Trade and Plantations recommend Mr. du Pré's request for accomodation on a man of war *etc.* (v. May 16). [*C.O.* 5, 1122. p. 503.]
- May 21. **430.** Mr. Burchett to Mr. Popple. *Reply to preceding.* Orders will be given to Capt. Vanbrugh, H.M.S. *Sorling*, as desired. *Signed*, J. Burchett. *Endorsed*, Reed. 23rd May, 1712. 1 p. [*C.O.* 5, 1050. No. 42; and 5, 1122. p. 504.]
- May 23. **431.** Order of Queen in Council. Referring following to the Kensington. Council of Trade and Plantations for their report. *Signed*, Edward Southwell. *Endorsed*, Reed. 5th, Read 19th June, 1712. $\frac{3}{4}$ p. *Enclosed*,
431. i. Petition of Robert Lowther, Governour of Barbados, to the Queen. Following the controversy between himself and A. Skeen, *prays* to be allowed to appoint a private secretary *etc.* *Set out*, A.P.C. II. p. 661, q.v. *Copy.* $1\frac{1}{2}$ pp. [*C.O.* 28, 13. Nos. 92, 92 i.; and 29, 12. pp. 434, 435.]
- May 27. **432.** Mr. Popple to Mr. Tilden (v. May 13). Governor Whitehal. Lowther having transmitted a great many new papers relating to the *Oxford*, the Council of Trade and Plantations have put the hearing off to a further day, *etc.* [*C.O.* 29, 12. p. 428.]
- May 27. **433.** The Earl of Dartmouth to the Council of Trade and Whitehal. Plantations. *Encloses* following for their report. *Signed*, Dartmouth. *Endorsed*, Reed. May 30th, Read June 2nd, 1712. 1 p. *Enclosed*,
433. i. Petition of Merchants of New York to the Queen. The trade and navigation of this city was formerly very considerable, having great number of vessels thereunto

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belonging whereby many of your Majesty's subjects were kept in a constant imploy. But to their unexpressible grief the same is now greatly reduced, which we cannot but attribute to those discouragements your Majesty's subjects meet withall by your ships of war loading themselves from this port to the West Indies, with beef, pork and flower, and bringing from thence rum, sugar, and the other produce of your Majesty's Islands and Plantations, depriving us by that means of the benefit and advantage to carry the same with our own vessels, and which not only now is but hath been the constant practice of your Majesty's frigotts for many years pass'd, whereby the merchants of this city are discouraged from laying out their moneys in building of shipping to the ruin of many families and the prejudice of all the traders and inhabitants of this city and province in general. *Pray* that H.M. ships appointed for convoys and to spend the winter in the West Indies may not be permitted to carry any of the commodities abovementioned as merchandize. And whereas the privateers do every year in April appear in great numbers on our coasts doing considerable damage to our trade and navigation, most of our vessels going out and returning home about that time, [*we pray*] that the Commanders of your Majesty's ships may be directed to return from the West Indies in such time as to be ready to cruize for our security the beginning or middle of that month at furthest. New York, Feb. 20, 1711. *Signed*, Caleb Heatheote, Rip Van Dam, Abram van Hans, Adrian Hooglant, Stephen De Lancey, Law. Reade, And. Fresneau, John van Horne, John Reade, Walter Thong, Tho. Davenport, Morgn. Cornock, Garrit van Horne, Richd. Burke, Henry Cuyler, Bart. Feurt, Tho. Tarpy, B. Rynders, Wm. Smith. [*C.O.* 5, 1050. *Nos.* 43, 43 i. ; and 5, 1122. *pp.* 504—507.]

May 28.
Barbados.

434. Governor Lowther to the Council of Trade and Plantations. About eight dayes ago some merchant shipes cleared at some of the offices here, for several partes of Great Britain, and the Masters thereof attended upon me for leave to sail, upon which I told them that they might go from hence whenever they pleased, if they had the Queen's letter : a little after this they went to the Secretaries Office, and entered a protest against me, and everybody that were in any wayes instrumental in detaining them here, and not only made a mighty clamour, but got several merchantes and other people to join with them in it, but, this not having the intended effect, they not only petitioned me and got several considerable merchantes to joyn with them in it, but collected a good sum of mony amongst themselves, and deposited in the hands of a certain person, with an intent to have made me a present of it, but tho' I would not accept of it, yet, in consideration that the alligations of this petition were true, and that

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their stay for a convoy might almost cause as much damage and loss to their owners, as if they should be taken by the enemy, I did suffer them to sail : I was the easier induced to grant the prayer of their petition because in my 78th Instruction, I am commanded not to suffer any tradeing shipes from hence to England but in fleetes, or under the convoy or protection of some of H.M. shipes of warr : now in regard they were ten sail of shipes which were desirous to sail for Great Britain, I hope your Lordshipes will judge that number a Fleet within the Queen's Instructions ; since the said Instruction does not limit it to any certain number : however, I desire your Lordshipes to give me directiones what to do, if the same case should happen again, for if I had detained the shipes here upon account of the want of a convoy, they would have complained, and if any of them should have the misfortune to be taken, it is a question but they will lay the blame upon me, your Lordshipes will perceive by the inclosed papers, that I gave Captain Constable orders to convoy this Fleet into the Latitude of 20, and that he was so far from yielding any obedience thereto, that he sent me word by my Secretary Mr. Upton that he would not comply with the orders I had sent him : I beg leave to add, that there is not one time in twenty that the men of war which attend this station take any manner of notice of the orders I give them, which is the occasion of the loss of many vessels, and therefore I find myself under a necessity to repeat the state of this matter to your Lordshipes, that I may not now, nor at any time hereafter be blamed or condemned for the loss or damage which the Queenes subjectes sustaines here, either for want of their doing their duty, or my representation of the matter : I think I have already informed your Lordshipes that I have no power over the men of war by vertue of my Vice-Admiralties Commission, nor by any of my Instructions except the 69th, and there is a clause towards the latter end of that Instruction which directes me not to exercise any power over the men of war, unless by commission or authority of the Lord High Admiral, or the Commissioners of the Admiralty for the time being. There are some disputes between the Council and Assembly, upon account of the Excise Bill, which hath occasioned some loss to the publick, but I hope I shall be able to compose that matter in a little time. I had not time to prepare duplicates of all the papers I sent by Stone, but if they have not reach'd your Lordshipes, I desire you will informe me of it, and I will send them by the first opportunity : the accountes which your Lordshipes writ for are not finished, but you shall have them by the Fleet, and indeed some of them are of that consequence that it is neither prudent nor safe to send them by any conveyance but a man of war. I am sensible there are several people both here and in England that do seek all opportunities to do me ill offices, and to render my poor services unacceptable to the Queen and your Lordshipes, tho' upon several views and designes, but notwithstanding my infirmities, I humbly hope your Lordshipes will not think it an easy matter to satisfy a factious and divided people, who do, and will gratify their inclinations and passions

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in opposition to all authority, law, and reason, and who carry on their designs by false reportes, clamour, and injustice, but let the consequence of such a policy be what it will, I shall always do what becomes me in the station I am : I must humbly intreat your Lordships to retain a favourable opinion of me, and not to censure any of my actions upon common fame and the reportes of some malicious disappointed persons, or to think me faulty upon any accusation that my enemyes have, or may exhibit against me, till I have had an opportunity to answer their charge, etc. *Signed*, Rob. Lowther. *Endorsed*, Recd. July 11th, 1712, Read July 17th, 1713. *Holograph*. 4 pp. *Enclosed*,

434. i. Deposition of Arthur Upton, May 29, 1712. On the 27th deponent took the Governor's orders to Capt. Constable, H.M.S. *Panther* (No. iii.). He answered that he did not know of any trade bound out, for they had not made any application to him, and since they did not, he should not take any notice of them, etc. *Signed*, A. Upton. *Same endorsement*. $\frac{3}{4}$ p.

434. ii. Petition of several Commanders of Merchant ships to Governor Lowther, praying leave to sail for Great Britain. Should they be detained till the London Fleet is ready to sail, their ships would be prejudiced by the wormes, and their cables destroyed by the heat of the water, etc. 17 Signatures. *Same endorsement*. 2 pp.

434. iii. Governor Lowther to Capt. Constable. You are to convoy the trade now bound for Great Britain as farr as the latitude of twenty, etc. May 27, 1712. *Signed*, Robert Lowther. *Same endorsement*. Copy. 1 p. [C.O. 28, 14. Nos. 1, 1 i.-iii.; and (without enclosures) 29, 13. pp. 46—52.]

May 30.
London.

435. Petition of Mr. du Pré to the Council of Trade and Plantations. Prays to be allowed a small supply of money to enable him to return to New York, etc. (v. May 16). *Signed*, James du Pré. *Endorsed*, Recd. May 30th, Read June 22nd, 1712. 1 p. [C.O. 5, 1050. No. 44.]

June 2.

436. Mr. Henderson's Short State of the Church of England planted in the Provinces of New York and New Jersey in America. In New York, the Dissenters have taken forcible possession of the glebe etc. of Jamaica on Long Island which belongs to one of the six Churches of the Church of England, and keep the same from the present incumbent (v. March 1st), and that by the countenance of Governor Hunter, who turned out of the commission of the peace and other places of the Government, the gentlemen of the Church of England who promoted dissenters in their room, etc. In New Jersey there are but four ministers of the Church of England. The Quakers and other dissenters are most numerous and do make up the greatest part of the Assembly, which is the reason why no Law has been passed in the Church's favour, but they have not been able to doe any

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harm to it, in regard that the plurality of the Queen's Council are good churchmen *etc.* The dissenters have at their head Col. Lewis Morris, a profess'd Churchman, but a man of noe principles or credit, a man who calls the service of the Church of England pageantry, who has joyned in endeavours to settle a conventicle in New York, and whose practice it is to intercept letters, *etc.* He with Governor Hunter have written to the Lords of Trade to turn out of the Councill six Church of England men and to put in six others in their room, some of them Dissenters, and those that are of the Church are such as will run into all the measures of the Assembly and therefore of the worst consequence to the Church, *etc.* Gives good characters of the Councillors it is proposed to remove and bad ones of those intended to succeed, as *Set out*, N.Y. Docs. V. pp. 334, 335 *q.v.* Signed, Jacob Henderson, Missionary, Dover Hundred in Pensilvania. *Endorsed*, Recd. June 12, 1712. 4 pp. [C.O. 5, 1050. No. 48.]

[June 2.]
Treasury
Chambers,
Whitehall.

437. Mr. Lowndes to [? Mr. Popple.] The Lord High Treasurer refers the following to the Council of Trade and Plantations for their report. Signed, Wm. Lowndes. *Endorsed*, Recd. 2nd, Read 5th June, 1712. $\frac{1}{2}$ p. *Enclosed*,

437. i. Petition of [? Stephen] Duport to the Lord High Treasurer. Prays, on behalf of Ralph Willet, the confirmation of a grant of land in St. Kitts made to him by Lt. Governor Walter Hamilton for $2\frac{1}{2}$ years, in case the war shall so long continue. 1 p. *Mem. superscribed*, Mr. Duport withdrew this petition *etc.* July 4, 1712.

437. ii. The Lord High Treasurer refers preceding to Wm. Blathwayt, Auditor General of H.M. Plantations, for his report. Signed, Wm. Lowndes, May 23, 1712. $\frac{1}{2}$ p.

437. iii. Mr. Blathwayt to the Lord High Treasurer. Reply to preceding. Such grant being conformable to H.M. letters of Nov. 30, 1705, may fitly be confirmed subject to the limitation mentioned in the petition (*No. 1 supra*). Signed, Wm. Blathwayt. May 28, 1712. $1\frac{3}{4}$ pp.

437. iv. Copy of a grant of 120 acres in the former French Basseterre quarter of St. Kitts for $2\frac{1}{2}$ years to Ralph Willet. Signed, Wm. Hamilton, May 16, 1711. 1 p. [C.O. 152, 9. Nos. 117, 117 i.-iii.]

June 3.
Whitehal.

438. Council of Trade and Plantations to the Earl of Dartmouth. *Reply to May 27th.* We are humbly of opinion, that H.M. ships of war taking goods on freight to carry from one Plantation to another is a practice not only dishonourable, but also prejudicial to the owners of shipping in the said Plantations, and ought therefore to be strictly forbid for the future; and we further humbly offer that, H.M. ships of war at New York that go in the winter to the West Indies may have directions to return so as to be at New York by the beginning or middle of April at furthest for the security of the trade of that Province from the French privateers that cruise upon that coast about that time. *Autograph signatures.* 1 p. [C.O. 5, 1085. No. 3; and 5, 1123. pp. 18, 19.]

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[June 6.]

439. i. Advertisement of a subscription list, to be opened on June 26, for setting up iron and steel works in New England and copper works in Connecticut, *etc.* By order of the Mineral Master General (i.e. Moses Stringer). At the New England Coffee-House, behind the Royal Exchange, London. *Seal of Mineral Master General imprinted at head of broadsheet. Printed. 1 p.*
439. ii. A scheme for improving the mines, the mineral and the battery works, in New England. *A prospectus for above. Printed. 4 pp.*
439. iii. Mineralia Adjuvanda, or A Case shewing who, and what the most Ancient and Honourable Societies and Corporations of the City of London (of and for the Mines, the Mineral and Battery Works) are, *etc.*, and that the said Societies were founded by Queen Elizabeth, above 140 years before Sir Humphery Mackworth and William Waller became tenants to their silver mills in Cardigan-shire, *etc.*, or the upstart Company of Mine-Adventurers imposed on H.M. and people and discouraged mine and mineral works by their base and scandalous stock-jobbings and dealings, *etc.* *Printed. 4 pp.*
439. iv. Minutes of the Mineral Court relating to above scheme. *Printed. pp. 4—8 incomplete. The whole endorsed, Recd. 6th, Read 12th June, 1712. [C.O. 5, 865. Nos. 82—85.]*

June 8.
Carolina in
America.

440. John Stewart to [? the Earl of Dartmouth.] *Refers to letter of last summer, copies of which were sent to H.M. and her Ministers etc.* I have already told your Lop. that the holding and keeping of the British Empire in America and the wealth thereby yearly to the nation is guarded by our Indians, and that whether we or France have the most warlike and numerous body of them as ours or thers commands all North America, and all the Indians North of the sea of Mexico must either be ours or France's in a lytle tyme, there is no other medium and that unles we keep portroyall in Nova Scotia, and do not conquer and take Quebeck and Mountroyall, all the Northern Colonies will be lost to Great Britan, and if Fort Movill built and garisoned by the French lying at the foot of Movill River on the sea of Mexico bordering near ye Indians who live on the same river, and where I was 20 year ago, I say unles Movill Fort be bomb'd out at the charge of the parliament and raz'd or deserted by two lynes in the ensuing peace of Christendom, if not so, in a very few years the French Chacta, Tumi and Movill Indians will be too strong for all our Indians and Carolina has more in number and far more martiall then all the other 9 British Colonies in the North have, so that Carolina, Virginia and Maryland will be lost to the British nation, and must become the frenches. I have liv'd some years 500 myls distant from any Christian town, plantation, hutt or howse among Indians, and have travel'd with an Indian army of 1300 men in ther war expeditions 30 days without seing an Indian hutt or howse, so I know very well what most of Indians ar. I have seen some parts of all the Kingdoms of Europ, and

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two Empyrs, seen Chinoes, Tartar Turk and Persian and 8 Colonies in America, and I do know that neve[r] was any Indian Nation or race of mankind more savage, fearce and brutall then the Chactaes ar, they cannot be fategued or harrast but ar invincible, they run up to the very musle of ther enemies' guns with unparalyd and undanted resolution. I knew them ten years ere ev'r the French wheedl'd them to ther interests, they have got into the exercise and practise of 700 guns and so soon as all ar they'l drive all our Indians and us to into the sea or bring all our Indians over to them. Had we no Indians to be our out and home guards, 100 such were able to drive all the whites into the sea, *etc.* Nay 100 wer able to harras all the armyes on both syds now in Flanders wer they 100 myls in our woods, for nothing but fortified places can stand before them, they run faster then horses, they find food evrywher, by nature growing to ther hand and ev'rywher they have impregnable Castles of Kain swamps, mashas, bogs and morasses to retreat to. The chief design of this letter is to put my Superiors in mind by humbly laying before them the considerations foresaid, but more especially to remynd them that to conquer Quebeck, Montroyall and Canada the forces sent must be more then sufficient and sutably qualified especially highlandes, and they must come seasonably, that is, tymously there. They must be at Boston by the first of March, *etc.* Let us possess Movill, Mountroyall and Quebeck, and we shall possess all the traffick of the ocean and become the arbiters of Europe, *etc.* My great grand-father was naturall son to K. James I of Scotland and my father true heir to Patrick Stewart, Earl of Orkney, his uncle, but our family being banisht by the presbiterian party lost his uncle's estate, *etc.* The nation has already by act of parliament made use of 4 of my projects, and so to me now ther is a royall and nationall bounty due. I am very old and very poor, *etc.*, *etc.* Signed, John Stewart. 4 closely written pp. [C.O. 5, 9. No. 16.]

June 9.
Whitehall,
Treasury
Chambers.

441. Mr. Taylour to Mr. Popple. The Lord High Treasurer desires the opinion of the Council of Trade and Plantations upon the following. Signed, J. Taylour. Endorsed, Recd. 10th, Read 12th June, 1712. 1 p. Enclosed,

441. i. Petition of William Codrington of Barbadoes, and the Society for the Propagation of the Gospel in Foreign Parts, to the Queen. King Charles II granted Burbuda to Christopher and John Codrington, petitioner's uncle and father, for fifty years. The latter built a castle there at his great expence. Christopher and his son, Christopher, died possessed of the whole island. The latter bequeathed half of it to petitioner William, whom he made executor, $\frac{1}{3}$ th to two other persons, and the remainder to the above Society. In March 1710 the Island was through the treachery of John Birmingham surprized by the French, and when they saw they could not hold it against the force that the petitioner, William Codrington, was bringing against them, they blew up

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the Castle, and took away all the servants, negroes and dead stock, and destroyed the quick stock to the loss of petitioner William Codrington several thousand pounds. Petitioner the said executor hath been at great expences in hireing and manning of ships to reduce the said Island, and hath rebuilt the castle thereon, and new stockt the same, to which expences the Society are contributory. Christopher Codrington the son gave to petitioners the Society his two plantations in Barbadoes of considerable yearly value, for promoteing the Christian religion in the Leeward Islands. And to render his said benefaction still more usefull to the pious purpose aforesaid, also gave them $\frac{3}{16}$ ths of Burbuda. William Codrington hath agreed to give petitioners one other sixteenth part thereof, if your Majesty shall please to make some further grant of the Island unto petitioners. The said Island is a nursery for horses and black cattle, necessary for the neighbouring Caribee Islds., and is moreover improveable by planting cotton and ginger, *etc.*, but the remainder of the term is too short to encourage petitioners to plant. *Pray* H.M. to grant to the Society the reversion and inheritance of $\frac{1}{4}$ th part of the Island, and of the other parts to William Codrington and his heirs for ever, or for such other durable estates respectively, and under such rents, acknowledgements, and services respectively as shall seem meet. *Signed*, Christopher Prissick, Robert Chester, Wm. Cleland, Agents for Col. Codrington. *Subscribed*, H.M. refers this petition to the Lord High Treasurer for his opinion. *Signed*, Dartmouth, Whitehall, May 30, 1712. 5 pp.

441. ii. Copy of the will of General Christopher Codrington. Bettys Hope, Antigua, Feb. 22, 1703. *Endorsed*, Recd. 19th (*sic*), Read 12th June, 1712. 3 pp. [C.O. 152, 9. Nos. 120, 120 i., ii.; and (*duplicate of No. 1.*) 121; and (*without enclosure ii.*) 153, 11. pp. 483—489.]

June 11. **442.** The Earl of Dartmouth to Governor Lord A. Hamilton. Whitehall. Recommends Mr. John Fooke to his protection. [C.O. 324, 32. p. 154.]

June 12. **443.** Mr. Docminique's characters of persons proposed for the Council of New Jersey. (*v.* May 12). John Andersen and Elisha Parker, both inhabitants in Prith Amboy very large traders, and old Planters, and men of the best estates upon the place. Wm. Morris, a man of an extraordinary character as well as master of a good estate. John Hamilton, Postmaster Genll. of North America. Tho. Byerly, a gentleman of the best estate in the country and in a publick post. John Reading, I have not yett mett wth. anybody that personally knows him *etc.* I have bin very dilligent in my enquiry, and doe find there is not one of 'em inclinable to Presbytery, but all well affected both to

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Church and State. *Endorsed*, Recd. Read June 12, 1712. 1 p.
[C.O. 5, 970. No. 158 ; and 5, 995. p. 159.]

June 12.
Whitehal.

444. Council of Trade and Plantations to Governor Hunter. *Acknowledge* letters of Jan. 1st and March 1st. We have considered what you write, as also what the Council of New York have represented to us, of the disputes that have happen'd between them and the Assembly in relation to the amending of mony bills : and are laying that whole matter before H.M. The Assembly's pretence of an inherent right to dispose of the money of the Free men of New York, is altogether groundless. They only sit as an Assembly, and are a part of the Legislature (as is also the Council) by virtue of a power in H.M. Commn. to you, without which they cou'd not be elected to serve in Assembly, and consequently their assuming a right no ways inherent in them, is a violation of the constitution of the Govt. of that province, and is derogatory to H.M. royal prerogative. If therefore upon your acquainting them with what we now write upon this subject, and what we writ you in our letter of Nov. 13th last, they still persist, you may acquaint them that such measures will be taken here, as may be effectual to assert H.M. undoubted prerogative in that province, and to provide for the necessary support of that Government. Your erecting a Court of Equity by advice and consent of the Councill is pursuant to the powers granted you by H.M. under the Great Seal of Great Britain, and therefore the resolve of the Assembly of Nov. 24, 1711, upon that matter is very presumptuous and a diminution of H.M. royal prerogative, for that H.M. has an undoubted right of appointing such and so many Courts of Judicature in the Plantations, as she shal think necessary for the distribution of Justice. The same may be said upon their second resolve, relating to the establishing of fees, as to the Bill which you say lies before the Councill, for enacting the ordnance of 1693, into a law, we have no objection at present why the same may not be done. The Assembly adjourning themselves from Nov. 24, 1711 to the first Thursday in Aprill following, after your having signify'd your intention of doing it, and their naming Treasurers to collect the public mony, when H.M. has appointed an officer for that purpose, are other instances of their disrespect and undutifulness to H.M. All which will be taken notice of and proper remedies appli'd, if your next letters do not inform us, of their having chang'd their behaviour.

We have under consideration what you and Col. Quarry write relating to the ship *St. John Baptist*. Mr. Dupré who has acquainted us he goes by this conveyance will inform you of what has past here, in relation to the Palatins : and that you may know more perticularly what we have done in that matter, we send you here inclosed copies of our reports thereupon. Upon receipt of your letter wherein you transmitted to us an account of the method us'd by Mr. Sacket in preparing the trees for tar, we writ to Mr. Whitworth *etc.*, who sent us the inclos'd account (v. April 1st). This method being something different from that of

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Mr. Sacket, we thought fit to communicate the same to you. We wish you had more fully explain'd what you write in relation to Mr. Bridger, and particularly abt. the spoil committed in the woods. We have before us the address from the merchants relating to the furnishing H.M. with Naval Stores, as also Col. Heathcot's proposal for building a gally, and guarding the coast of North America from the insults of the French privateers. But as those matters belong more properly to the Navy Board, and require to be well considered, we are not able at present to give you any particular observations thereupon. We must deferr to another oppertunity to answer your letter relating to your Government of New Jersey. In the meantime, we can only assure you, we shall do all that in us lies to make that Government easy to you, *etc.* [C.O. 5, 1123. pp. 21—26.]

June 13.
Whitehall.

445. Mr. Popple to Governor Dudley. *Encloses* duplicates of Jan. 25 and Feb. 1st., and *acknowledges* letter of Nov. 13, 1711, "which their Lordships have now under consideration, and will be able to send you answers thereto by the next conveyance." [C.O. 5, 913. p. 377.]

June 13.
Whitehall.

446. Same to Mr. Addington. *Acknowledges* letter of Dec. 21st, *etc.* [C.O. 5, 913. p. 378.]

June 13.
Whitehall.

447. Mr. Popple to Lt. Governor Spotswood. *Acknowledges* letters *etc.* of Sept. 5, Nov. 17 and Feb. 8. Their Lordships have the same under consideration, and will return answers thereto by the first conveyance that shall offer. [C.O. 5, 1363. p. 407; and 5, 1335. No. 173.]

June 14.
Boston.

448. Address of the Governor, Council and Assembly of the Massachusetts Bay to the Queen. *Return thanks* for the gift of arms. (v. Feb. 13) "which favour we take as an expression of your Majesty's gracious acceptance of our dutyfull obedience to your Majesty's royal commands to assist the design of the expedition to Canada, which was instantly intended with all application and alacrity in all things to our utmost ability beyond what was required of us by your Majesty's royal instructions and whereof at first we had no view could posibly be accomplished in season. We hope our humble representations thereof already laid before your Majesty have hapily prevented or wiped off any impressions made by insinuations to the contrary that might prejudice the Government in the present hapy constitution thereof under your Majesty's most gracious establishment which we humbly pray and hope for the continuance of, it being very acceptable to your Majesty's good subjects, who yeild a ready and dutifull obedience thereto and cheerfully consent to the levying of heavy taxes towards the support thereof and for the defence of the Province against the common enemy. Your Majesty's good subjects of this Province for more than 20 years past (with little cessation) have been grievously harrassed and oppressed by war and that very different from the wars in Europe whilst we

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have to do with very numerous barbarous salvages within our borders that decline to come to any fair open battle, but oblige us to stand continually under armes thro' our long extended frontier to prevent their impressions, continually infesting us, and of late more than ever, with small partys spread thro' all the parts lying sculking under the covert of horrid thickets, woods and bushes where it is impracticable to pursue 'em, and besides the losses both in men and cattle that we sustain from them, occasions us a constant expence which with our other expences for guarding of the sea-coast whereof the neighbouring Governments as well as ourselves reape the benefit has immerced us in a very heavy debt. We most humbly pray your Majesty will be graciously pleased to order that the accompts for the advance to the last year's Expedition upon encouragement of your Majesty's royal assurance may speedily be directed to be paid. And also that in consideration of our great charges and want of a stock of powder for the supply of your Majesty's Castle and Forts and other service within this Province, not being to be procured here, your Majesty will be graciously pleased to order a supply to be sent us accordingly. We pray Almighty God to preserve your Majesty's sacred person to direct your Councils and prosper your just armes that this calamitous war may happily soon determine in a safe and honourable Peace. *Signed*, J. Dudley, Isa. Addington, Secry., John Burrill, Speaker. 1 p. [C.O. 5, 10. No. 7.]

June 17. **449.** Anonymous reply to Mr. Henderson (June 2). Defends Governor Hunter and Col. Lewis Morris against the malicious and ungrounded accusations of the Missionary, and gives different versions of the characters of the New Jersey Councillors. *Set out*, N.Y. Docs. V. pp. 336—338, *q.v.* [*Endorsed*, Reed. June 12, 1712. 8½ pp. [C.O. 5, 1050. No. 49.]

June 17. **450.** Earl of Rochester to the Earl of Dartmouth. Prays that William Brodrick may be appointed to the Council of Jamaica in the room of Col. Valentine Mumby, who is represented as a person that will returne thither no more. (*v.* April 5). 1¼ pp. [C.O. 137, 51. No. 62.]

June 18. **451.** Mr. Tilden to Mr. Popple. Prays to be allowed to see papers transmitted by Governor Lowther and Skeen's petition, (*v.* May 1st), *etc.* *Signed*, Geo. Tilden. *Endorsed*, Recd. 18th, Read 19th June, 1712. *Addressed*. 1 p. [C.O. 28, 13. No. 93; and 29, 12. p. 436.]

June 18. **452.** Capt. Vane to [? the Earl of Dartmouth.] Allen who is an inhabitant here, and as I have informed you knows of a silver mine; upon promise that I've made him (by consent of the Lt. Governor) in case he would produce some of the ore; and that it proved on proof to be as pretended, that he should not be forced to discover the same, till H.M. had been informed thereof and a
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recompence allotted him : and that his son should have an employ as he should be found capable of, when the said mine should be wrought, about 10 days agoe, he parted from hence for the other side of the bay of fundy, where the said mine [*is*] to fetch some of the ore, and shall take care to send you some of it to be proved, *etc.* Gouverneur Vetch arrived here ye 6th from boston, but says ther's noe orders, yett from court conserning the fortifications of this place : that the publicke bills are soe il paid, that nobody att boston ; will advance any money on the same *etc.*, that the fortifications are like to loose the best season for working, and the occation of making bricks *etc.* which we very much want ; all the chimneys in the Garnison being ready to fall down, as well as best part of the houses. This I humbly take the liberty to informe you off least hereafter I might be blamed, for what is not in my power to remedy, having reseved as yett no orders, *etc.* Signed, G. Vane. Endorsed, Recd. Sept. 15. 3 pp. [C.O. 217, 31. No. 7.]

June 18.
St. James's.

453. H.M. Warrant empowering Lt. Governor Spotswood to take £150 per annum for rent for two years longer *etc. as recommended March 15 q.v. Countersigned, Oxford. Endorsed, Recd. June 21, 1712. 2 pp. [C.O. 5, 1316. No. 81 ; and 5, 1363. pp. 408—410.]*

June 23.
N. Yorke.

454. Governor Hunter to the Council of Trade and Plantations. Since ye receipt of yr. Lordps'. letters of Oct. 26, Nov. 13 and Feb. 1st, this present packett boat is ye first opportunity which has offered by which I cold returne answers. There has been noe revenue for support of Government settled in this Province since ye expiration of ye last of May 18, 1709. But your Lordps. will observe by ye Act past this present sessions, that there is a summe issued for that purpose out of ye money in their Treasurer's hands, which tho' barely the sallary due to me, without any allowance for fireing and candle for ye garrisons, for repaires of ye house and barracks, for my frequent journeys to Albany and negociations with ye Indians, and presents to them and expresses on all occations, I was under a necessity to accept, the Act as your Lordps. may observe being conceiv'd in such terms as does not cutt off my claims to ye remainder due, *etc.* Your Lordps. have long since received the table of fees, *etc.* I have issued out orders to ye severall counties and cities for an account of ye number of their inhabitants and slaves, but have never beene able to obtain it compleate, the people being deterr'd by a simple superstition and observation, that ye sickness followed upon ye last numbering of ye people. However by ye next opportunity I hope to send it you compleat haveing fahn upon new methods for procureing it. In ye mean time the following scheme of ye old lists taken in 1703 compaired with ye new which I have beene able to procure of ye respective countys hereafter mentioned will afford your Lordps. a general view of ye increase of ye numbers :

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	1703.	1712.	<i>Increased.</i>
New York	4436	5840	1404
King's County	1915	1925	10
Richmond County	503	1279	776
Orange County	268	439	171
West Chester	1946	2803	857
	<hr/>	<hr/>	<hr/>
	9068	12,286	3218

Queen's Co.	4392
Suffolk	3346
Albany City and Co.	2273
Ulster and Dutches	1669

Of these countys I have as yet noe lists, nor from ye Jerseys, but hope to be able to send it by ye next. From Connecticut I have soe imperfect an account, that I am ashamed [to send it but will endeavour to get a more perfect one.]

In ye five countys whereof I have procured lists the numbers were compos'd as followeth :—

	1703.	1712.	<i>Increased.</i>
Christians	7767	10511	2744
Slaves	1301	1775	474
			<hr/>
			3218

By this imperfect computation your Lordps. will be able to make some guess of ye generall increase of ye people, and leave it to your Lordps. consideration what ye consequences are like to be, when upon such an increase, not only ye support of Government but ye inclinations of ye people to support it at all decrease. As to births and burials, there has never beene any register kept that I can heare of, neither is there any possibilitie of doeing of it, untill such time as ye countyes are subdivided into parishes, great numbers remaineing unchristened for want of ministers. *Refers to enclosures.* As to ye wants and defects of this Province, besides that of a revenue which your Lordps. have beene soe much troubled with, the forts and barracks want thorough repaires, one halfe of ye Governor's house ready to fall down. Wee want tenn flaggs, the forts being now five in number. *Refers to enclosure for other stores wanting.* I should be very glad the Assembly would give me an occasion of retracting what I have formerly wrote your Lordps. concerning their obstinacey, but their proceedings since that give me but too much cause to continue my complaints against them, for tho' they have past the Bill I have beforementioned in such a manner as both ye Councill and myselfe cou'd agree to it, yet they have since sent us up another for paying the officers of the Government in their former appropriating manner, which the Councill cold not agree to for the reasons they sent to your Lordps., soe that nothing more can be expected from them. I have not only expended my own money for all the contingencies of ye Government ever since I have beene here, but the daily complaints and cryes of ye officers who have not received a shilling for their support since my coming

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renders my condition very miserable and would make it insupportable but for ye releife I hope for from home ; if I could be prevailed on to put my private interest in competition with H.M.'s, I should have but little difficulty in getting my own sallary, the Assembly both in and out of the House professing the greatest willingness to make me easy (as their phraise is), but unless I would give up H.M. prerogative of appointing her own officers, and rewarding their services, divert ye channell through which the receipt of her money has ever run, and by these meanes reserve nothing but the name of a Government, it is in vaine to expect from these men any manner of support, which layes me under a necessity of entreating your Lordps. to think of us with that compassion which our present wants require, and to give me your speedy directions how to behave mysele under these distresses. The Act before mentioned and one other to encourage the makeing of lintseed oyle are ye only ones that have come my length this sessions, the last wants noe other remark then that it's past to encourage the projection of that manufacture in this place. I must now give your Lordps. an account of a bloody conspiracy of some slaves of this place to distroy as many of the inhabitants as they could. It was put in execution in this manner, when they had resolved to revenge themselves for some hard usage they apprehended to have received from their masters (for I can find noe other cause) they agreed to meet in the orchard of one Mr. Crook neare the middle of the town, some provided with firearms, some with swords and others with knives and hatchetts, this was the sixth day of Aprill, the time of meeting was about twelve or one of ye clock in the night. When about three and twenty of them were got togeather, one Coffee a negroe slave to one Vantilburgh set fire to an outhouse of his masters, and then repairing to the place where the rest were, they all sallyed out togeather with their arms and marcht to the fire, by this time the noise of fire spreading through the town, the people began to flock to it. Upon the approach of severall the slaves fired and killed them, the noise of ye guns gave ye allarm and some escaping their shott, soon publisht the cause of ye fire, which was ye reason that not above nine Christians were killed, and about five or six wounded. Upon the first notice which was very soon after the mischeife was begun, I ordered a detachment from the fort under a proper officer to march against them, but the slaves made their retreat into ye woods by ye favoure of the night, haveing ordered centries the next day in the most proper places on the Island to prevent their escape, I caused the day following the Militia of this town and of the county of West Chester to drive ye Island, and by this meanes and strict searches in the Town, wee found all that put the designe in execution. Six of them haveing first laid violent hands upon themselves, the rest were forthwith brought to their tryall before the Justices of this place, who are authorized by Act of Assembly to hold a Court in such cases. In that Court were 27 condemned, whereof 21 were executed, one being a woman with child her execution is by that meanes suspended. Some were burnt, others hanged, one broke

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on ye wheele, and one hung alive in chaines in the town, soe that there has beene the most exemplary punishment inflicted that cold be possibly thought of and which only this Act of Assembly cold justifie. Among these guilty persons severall others were apprehended, and againe acquitted by the Court, for want of sufficient evidence. Among those was one Mars a negroe man slave to one Mr. Regnier, who was [*? brought*] to his tryall and acquitted by the Jury. The Sheriffe the next day moveing ye Court for the discharge of such as were or should be soe acquitted by reason he had soe many in his custody that hee apprehended they would attempt to make their escape. But Mr. Bickley who then executed the office of the Attorney Generall for Mr. Rayner opposed his motion, telling the Court that at that time none but Mars being acquitted, the motion cold be only intended in his favour against whom he should have something further to object, and therefore prayed he might not be discharged. Soe the Sheriffe did not obtaine his motion. Mars was then indicted a second time, and againe acquitted, but not discharged, and being a third time presented was transferred (the Court of Justices not designeing to sitt againe) to ye Supream Court and there try'd and convicted on the same evidence only as appeared against him before on his two former tryalls. This prosecution was carryed on to gratify some private pique of Mr. Bickley's against Mr. Regnier, a gentleman of his own profession, which appearing soe partiall and the evidence being represented to me as very defective and being wholly acquitted of ever haveing known anything of the conspiracy by the negroe witnesses who were made use of in the tryalls of all ye criminalls before ye Justices and without whose testimonies very few cold have beene punished, I thought fitt to reprove him till H.M. pleasure be known therein. At this Supream Court were likewise tryed one Hosea belonging to Mr. Wenham, and one John belonging to Mr. Vantilburgh, and convicted. These two are prisoners taken in a Spanish prize this warr and brought into this port by a privateer about 6 or 7 yeares agoe and by reason of their colour which is swarthy they were said to be slaves and as such were sold among many others of the same colour and country. Thesetwo I have likewise reprovied till H.M. pleasure be signified. Soone after my arrivall in this Government, I received petitions from severall of these Spanish Indians as they are called here, representing to me that they were free men subjects to ye King of Spaine but sold here as slaves. I secretly pittied their condition, but haveing noe other evidence of what they asserted then their own words, I had it not in my power to releive them. I am informed that in the West Indies where their laws against their slaves are most severe, that in case of a conspiracy in which many are engaged a few only are executed for an example. In this case twenty one are executed, and six haveing done that justice on themselves, more have suffered than wee can find were active in this bloody affaire, which are ye reasons for my reproveing these, and if your Lordps. think them of sufficient weight, I begg you will procure H.M. pleasure to be signified to me for their

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pardon, for they lye now in prison at their masters' charge. I have likewise reprived one Tom a negroe belonging to Mr. Van Dam, and Coffee a negroe belonging to one Mr. Walton. These two I have reprived at the instance of the Justices of ye Court, who were of opinion that the evidence against them was not sufficient to convict them. As to ye Palatins, I doe assure your Lordps. that their work comes fully up to our expectation, the trees they are prepareing and which will receive the last barking next Fall promise extreamly well, and Mr. Sackett tells me he does not in the least doubt but that the experiment he is makeing of some trees to fell at a yeares preparation will answer very well and as soon as this barking which they are now about is over hee will try it, of which I will inform your Lordps. by the first opportunity after it. As to that small quantity of tarr which I formerly mentioned to your Lordps. I must begg leave againe to observe to you that it was made from the knotts which the children gathered togeather whilst their fathers were working on the trees. This tarr may have ye burning quality, but is as good for pitch as ye other. Your Lordps. want to be informed out of what fond I provide the cask for ye tarr. I formerly told your Lordps., that out of ye sixpences and fourpences a day for these people's subsistance I hoped to pay all the contingent charges, except such as are mentioned in a list sent by Mr. Du Pré, and this of ye cask is one of those charges I shall pay out of the subsistance. I have not had any complaints of late of the Palatines, they work chearfully and seemed resolved to goe through what they are employed about being greatly encouraged by ye proposall of receiveing one halfe of ye profitts of the tarr to their own use, whilst the other halfe goes towards ye payment of the charge H.M. is put to about them. I am toe much indisposed now to goe to them, but as soon as I am able I designe to goe up and visit their works, and Mr. Sackett being with them he will take care that noe part of this barking season be misspent. I must againe intreat your Lordps. to reflect on Mr. Bridgier's behaviour, his dissobedience of H.M. possitive commands, his disserting this service at a time when he knew not that I cold find any who understood this work to direct the people in the method of doeing it and to superintend them whilst they were about it, by which he has as much as in him lay betrayed ye service, and subjected H.M. to ye loss of soe much money as she had expended on them. Your Lordps. will pardon me I hope for reminding you of this, but I cannot think of this conduct of his without being of opinion that he justly deserves H.M. highest displeasure and your Lordps.' discountenance. The affaires of the Jerseys at present dont require the giving your Lordps. the trouble of a separate letter. It being absolutely needless to meet ye Assembly soe long as ye Councill is soe constituted, for they have avowedly opposed the Government in most things and by their influence obstructed the payment of a great part of the taxes, soe that I waite with great impatience for ye remedy your Lordps. have made me hope for. In the meane time you will receive an account of the Courts and offices there. I must begg

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your Lordps.' patience till ye next opportunity for the numbers of that people and other matters relateing to that province. My present indisposition has beene the occasion of the confusion of this letter, which I hope your Lordps. will pardon, and I beg leave further to inform your Lordps. that the method I have taken to provide cask is this. There are ten palatin coopers whom I have appointed masters for that work, each of them has a number to attend him for cutting of staves and hoop sticks. I agree with the masters for halfe a crown a barrell, one halfe to be paid them in money, the other halfe to be stated to their account as part payment of the debt they owe H.M., by this meanes I hope to be able to find cask at a reasonable rate. If in this country where dayly labour is never computed at less than halfe a crown a day, many private persons have found their account by makeing bad tarr of the knotts, what may wee not expect from the labour of those people, which amounts but to the halfe of that dayly expence, making an allowance of two thirds for children and such as can't work, and makeing of good mercatable tarr, and imploy'd in a manner that each man's labour must produce a great deale more than by the methods formerly known and practic'd here. The warr betwixt the people of North Carolina and ye Tuscorora Indians is like to imbroil us all. The Five Nations by the instigation of the French threaten to joyn with them, tho' very lately they sent me by my own messengers to them their offers to interpose amicably in that matter. I have sent some men of interest with them to dissuade them from this fatall designe with presents and promisses, haveing noe other way left, our Assembly haveing fettered me soe that I can talk to them in noe other language. They are but a handfull and puff'd up with ye court has been made to them. In the meantime nothing shall be wanting on my part to prevent this mischeife or bring them to reason and their duty. *Signed, Ro. Hunter.*
Endorsed, Reed. July 30, Read Aug. 6, 1712. 14 pp. Enclosed,

454. i. List of the Courts of Law within the Province of New York, and of the officers belonging thereto. *Endorsed, Reed. July 30, 1712. 2 pp.*

454. ii. Account of the stores of war in the Forts of New York, June 18, 1712. *Signed, Ro. Hunter. Endorsed as preceding. 2 pp.*

454. iii. Duplicate of preceding.

454. iv. Account of stores wanting for the garrison at New York, June 23, 1712. *Signed and endorsed as preceding. 1 p.*

454. v. Duplicate of preceding. [*C.O. 5, 1050. Nos. 51, 51 i.-v. ; and (without enclosures) 5, 1123. pp. 30-48.*]

June 23.

455. Memorandum of No. 454, enclosing,

455. i. State of the Courts of Judicature in New Jersey. June 21, 1712. *Endorsed, Reed. July 30, Read Aug. 6, 1712. 2 pp. [C.O. 5, 970. Nos. 160, 160 i.]*

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June 23.
New York.

456. Governor Hunter to the Earl of Dartmouth. I beg your Losp. will beg H.M. pardon for these condemn'd persons mention'd in *enclosed letter*. There was no other method left to stop the Jury of that prosecution which had like to have proceeded to the condemning of guilty and innocent, it grew up to a party quarrel and the slaves far'd just as the people stood affected to their masters, more have been executed, in a cruel manner too, then were concern'd in the fact, and I'm afraid some who were no way privy to the conspiracy. *Prays* for protection and assistance, *etc.* *P.S.* The minute of the Treasury your Lorsp. was pleased to transmitt has quieted the minds of the people much with relation to ye bills for the Expedition, some of which had been return'd upon me protested. *Signed*, Ro. Hunter. *Holograph*. 2 pp. *Enclosed*,

456. i. Copy of No. 454. [C.O. 5, 1091. Nos. 76, 76 i. ; and (duplicate) 77, 77 i.]

June 24.
Annapolis
Royall.

457. Lt. Gov. Vetch to the Earl of Dartmouth. I have not as yett been favoured with H.M. particular commands relating to the pay and state of this garison, *etc.* The garison is now perfectly healthy, and since the arrivall of Coll. Livingston's company of Indians, who are verry well fortified in the most proper place for our defence about a quarter of a mile from the grand Fort, which they themselves effectuate, with a vast deall of labour and industry, this spring, and verry small expense to H.M., wee are pretty secure notwithstanding some partys of Indians sent out by the Governour of Canada, to catch some prisoners for intelligence who have succeeded too well upon the frontiers of New England this spring, having killed above a dozen English and taken as many prisoners there, but as our company of Indians who are worth four times their number of Brittish troops have struck such a terrour into them, so I do doubt not but in a litle time they will either wholly banish our troublesome Indians, or oblige them to submitt themselves to H.M. Government, which would soon be effectuated were it not for the number of Popish priests that remain missionarys amongst them : what creates me a great deall of uneasiness is the multitude of officers of different Cors, whose jarrs about command and rank create me ane endles trouble, which the settlement of the garison upon a regular footing would wholly prevent : in which I pray your Lordship's favour, the victualling and contingent charges of the garison and reparations of the Fortifications absolutly necessary amounting to a considerable summ of money by reason of the bad posture wee found them in and the troubles wee meet withall since, and would I give way to our present Engineer's projections, the verry artickle of the fortifications would ammount to a verry great summ : but as I have and allways shall as much as possible avoid putting H.M. to any expense but what is absolutely necessary for the preservation of the garison untill H.M. shall be pleased to give particular orders with relation to the same, so I must intreat your Lordship's favour with H.M. and my Lord Treasurer that what bills are drawn for the contingent expenses may be

1712.

punctually payed : for it is with the last difficulty that I cann procure any credit to H.M. att Boston, by reason of the delay of the former bills : the Agent being such a vast summ of money in advance already, and so many of his bills being returned protested : by which he will be a verry great sufferer, if he have no consideration allowed him for the same, which I doubt not through your Lordship's favour he will obtain. I must likewise recomend to your Lordship's favour and care, the five or six subalterns of the New England troops who stayed here to encourage their men to doe so, and now depend upon H.M. taking care of them with the other secound officers. The expense will be so small in comparrison of the service it may be of, that I hope H.M. may be pleased to continue to take care of them still notwithstanding the troops they belonged to being dismissed. The want of H.M. orders and Instructions with regard to the patenting out the lands not possessed by any of the French verry much obstructs the setlement and peopling of the country : in which I humbly begg your Lordship would be pleased to signify to me H.M. commands. Brigadier Nicholson cann best of any person att home inform your Lordship and the Ministry what methods are properest to be taken both with regard to the civill and military establishment of this country because of his thorow knowledge of the most part of all this Brittish Continent. Wee are still continueing to face the whole rampart round with timber like small masts, a good part of which is finished : and indeed it is so absolutely necessary that wherever that is not done the rampart hath wholly tumbled down by reason of the violent frosts and sudden thaws this last winter and spring : which wee are repairing as fast as wee cann, *etc.* *P.S.* June 27. Since the above wee have advice that the Indians are gathering together in a body being joyned by some French from Canada in order to give us all the disturbance they cann, which is only to confine us to salt provisions. Our Indian company is now of verry great use to us and without them even in peace it will be hard for this garison to subsist, the Indians of thiss country being never to be trusted. *Signed*, Sam. Vetch. 1 $\frac{3}{4}$ pp. [*C.O.* 5, 9. No. 108.]

June 24. **458.** Mr. Popple to Lt. Governor Spotswood. Encloses
Whitehall. Warrant for house-rent (*v.* June 18). [*C.O.* 5, 1363. p. 411 ;
and 5, 1335. No. 174.]

June 25. **459.** The Earl of Dartmouth to the Council of Trade and Plan-
Whitehall. tations. Mr. Brodrick the present Attorney General at Jamaica
and Mr. Hugh Totterdell, a gentleman likewise of great consider-
ation there, being both recommended to H.M. as persons very fit
to be of the Council in that Island, I am to desire you will let me
know whether you have any objection against their being pre-
ferred to that trust, that I may lay the same before H.M. *Signed*,
Dartmouth. *Endorsed*, Reed. July 4th, Read Aug. 27th, 1712.
1 p. [*C.O.* 137, 9. No. 71 ; and 138, 13. p. 403.]

1712.

June 25.

460. Petty expenses of the Board of Trade, March 25—June 25, 1711. £38. 3. 5. Stationer's Bill, (includes Capt. Cooke's Voyage to the South Sea 2 vols. qtt. 12/-) £26. 4. 6. Postage, £84. 9. 8. 5 pp. [*C.O.* 388, 76. Nos. 138, 140, 142.]

[June 25.]

461. Petition of Elizabeth Renoult, widow, to the Queen. Petitioner's husband John Battist Renoult possessed 5000 acres in the French part of St. Kitts and a considerable estate in slaves *etc.* Col. Codrington having conquered the French part of the Island, 1690, granted him 336 acres of land and part of his slaves and stock, in consideration he was of the Protestant religion and well affected to the English. He swore allegiance to the English Crown. By the peace of Ryswick the French part was surrendered to the French who offered to restore to petitioner what had been her husband's, if she would renounce the Protestant religion, which she refusing to do, she was obliged to abandon her plentiful estate and retire into Gt. Britain with 4 children, where she is reduced to a very miserable and destitute condition. *Prays* for Letters Patent for that part of her estate formerly granted to her husband by Col. Codrington. *Overleaf*,

461. i. This petition is referred to the Council of Trade and Plantations for their opinion. *Signed*, Dartmouth. *The whole endorsed*, Recd. July 1st, 1712, Read March 23rd, 17¹/₄. 1¹/₄ pp. *Enclosed*,

461. ii. Copy of John Baptiste Renoult's bond for £2333 18. Jan. 1, 1690. *Signed*, John Bapt. Renoult.

461. iii. Copy of Governor Codrington's grant of the above property to John Baptiste Renoult. *Signed*, Chr. Codrington. 1¹/₂ pp. [*C.O.* 152, 10. Nos. 11, 11 i.-iii. ; and (*without enclosures*) 153, 12. p. 114.]

June 27.

462. Deposition of John Norwood, Collector of Customs [*? at Antigua*]. On June 14, 1710, Lt. Governor Walter Hamilton threatened and abused deponent for refusing to send him an accompt of the loading of the *Union* frigate. *Signed*, Jno. Norwood. ³/₄ p. [*C.O.* 152, 42. No. 81.]

[June 27.]

463. Copy of grant of the Island of Burbuda by King Charles II to Christopher and John Codrington. *Countersigned*, (*Sir*) William Stapleton. *Endorsed*, Recd. Read June 27, 1712. 3 pp. [*C.O.* 152, 9. Nos. 122, 123 ; and 153, 11. pp. 490—497.]

June 28.

London.

464. Planters and merchants in, and traders to Jamaica to the Council of Trade and Plantations. Pray that the Act transmitted last October *for the further quieting possessions and preventing vexatious suits* may be approved. Most of the inhabitants have lost some of their originall patents, and two books of the Records of the Island, Nos. 3 and 4, for 1671 and 1672 are missing, (occasioned by the misfortune of the fire at Port Royall, the earthquake, and French invasions) so consequently all the assignments of those patents which formerly were indorsed upon the back of the patent and recorded afterwards in the Secretary's

1712.

Office, *etc.* *Signed*, John Ayscough, Edmd. Edlyne, Whitgift Aylmer, Joseph Hodges, Wm. Parrott, Antho. Chamberlain, Claudius Archbould, Edward Searle, Samuel Jones, Val. Munbee, Geo. Eves, Jno. Freeman, Richd. Lloyd, Charles Kent, Rich. Thompson, Rd. Harris, Francis Melmoth, Edwd. James, Elias Pearse. *Endorsed*, Recd. 12th Aug., Read Dec. 11th, 1712. 1 p. [C.O. 137, 9. No. 74; and 138, 13. pp. 409—411.]

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